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JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

TENTH ANNUAL SESSION,

1860-61.

ELIAS SMITH, PUBLIC PRINTER.

GREAT SALT LAKE CITY:

1861.

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JOURNALS

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one of the Twelve, and Historian
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SEP 24 1865

NAMES OF THE OFFICERS AND MEMBERS OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH, WITH THE STANDING COMMITTEES.

OFFICERS OF THE COUNCIL:

PRESIDENT—Daniel H. Wells.
SECRETARY—John T. Caine.
ASSISTANT SECRETARY—T. W. Ellerbeck.
SERGEANT-AT-ARMS—Israel Ivins.
MESSENGER—Samuel L. Sprague.
FOREMAN—Preston S. Free.
CHAPLAIN—Joseph Young.

MEMBERS OF THE COUNCIL:

GREAT SALT LAKE, TOOELE AND SHAMBERG COUNTIES—Daniel H. Wells, Albert Carrington, Wilford Woodruff, Franklin D. Richards, James Ferguson.

DAVIS COUNTY—William R. Smith.

WEBER, BOX ELDER, CACHE AND MALAD COUNTIES—Lorenzo Snow, Lorin Farr.

UTAH AND CEDAR COUNTIES—Leonard E. Harrington, John T. Hardy.

JUAB AND SANPETE COUNTIES—Edwin Whiting.

BEAVER AND MILLARD COUNTIES—John A. Ray.

IRON AND WASHINGTON COUNTIES—George A. Smith.

STANDING COMMITTEES OF THE COUNCIL:

JUDICIARY—A. Carrington, Geo. A. Smith, James Ferguson and L. E. Harrington.

CLAIMS AND APPROPRIATIONS—Lorin Farr, Jno. A. Ray and Jno. T. Hardy.

PETITIONS AND MEMORIALS—Geo. A. Smith, F. D. Richards, Lorenzo Snow and Jno. A. Ray.

REVENUE—Wilford Woodruff, L. E. Harrington, Wm. R. Smith and Edwin Whiting.

ELECTIONS—L. E. Harrington, Edwin Whiting and F. D. Richards.

COUNTIES—F. D. Richards, Jno. T. Hardy and Wm. R. Smith.

ROADS, BRIDGES, FERRIES AND KANYONS—L. Snow, Edwin Whiting, L. E. Harrington and Geo. A. Smith.

EDUCATION—James Ferguson, Jno. A. Ray, Edwin Whiting and A. Carrington.

ENGROSSING—Jno. A. Ray, J. Ferguson and Lorenzo Snow.

PRINTING—Lorin Farr and Lorenzo Snow.

AGRICULTURE, TRADE AND MANUFACTURES—W. Woodruff, L. E. Harrington, Wm. R. Smith and Geo. A. Smith.

MILITIA—James Ferguson and F. D. Richards.

INCORPORATIONS—Lorin Farr, Jno. T. Hardy and Jno. A. Ray.

LIBRARY—Wilford Woodruff and Jno. T. Hardy.

PUBLIC DOMAIN AND SCHOOL LANDS—Lorenzo Snow, Wm. R. Smith, Jno. A. Ray and A. Carrington.

PENITENTIARY—Lorin Farr, W. Woodruff and Jno. A. Ray.

OFFICERS OF THE HOUSE:

SPEAKER—John Taylor.
CHIEF CLERK—Thomas Bullock.
ASSISTANT CLERK—Robert L. Campbell.
SERGEANT-AT-ARMS—David Candland.
MESSENGER—Edward P. Duzette.
FOREMAN—Parley P. Pratt.
CHAPLAIN—David Pettegrew.

MEMBERS OF THE HOUSE:

GREAT SALT LAKE COUNTY—John Taylor, Hosea Stout, Edwin D. Woolley, Hiram B. Clawson, Albert P. Rockwood, John V. Long, Washington F. Anderson, William P. Nebeker, John M. Moody.
DAVIS COUNTY—Horton D. Haight, Rosel Hyde.
WEBER COUNTY—Chauncey W. West, James McGaw.
CACHE COUNTY—Ezra T. Benson.
TOOELE COUNTY—Evan M. Greene.
UTAH AND CEDAR COUNTIES—Isaac Bullock, Albert K. Thurber, Lorenzo H. Hatch.
JUAB COUNTY—Jacob G. Bigler.
SANPETE COUNTY—George Peacock.
MILLARD COUNTY—Daniel Thompson.
BEAVER COUNTY—Charles W. Wandell.
IRON AND WASHINGTON COUNTIES—Silas S. Smith, William Crosby.
CARSON COUNTY—John C. James.

STANDING COMMITTEES OF THE HOUSE:

JUDICIAL—Hosea Stout, Isaac Bullock and Chauncey W. West.
CLAIMS AND APPROPRIATIONS—Hiram B. Clawson, Edwin D. Woolley and Albert P. Rockwood.
PETITIONS AND MEMORIALS—Charles W. Wandell, John V. Long and Albert K. Thurber.
REVENUE—Chauncey W. West, Hosea Stout, John M. Moody and Evan M. Greene.
ELECTIONS—Ezra T. Benson, Silas S. Smith and W. F. Anderson.
COUNTIES—Silas S. Smith, John C. James and Horton D. Haight.
ROADS, BRIDGES, FERRIES AND KANYONS—James McGaw, Horton D. Haight and Wm. P. Nebeker.
EDUCATION—Charles W. Wandell, Evan M. Greene, Rosel Hyde and Isaac Bullock.
ENGROSSING—John V. Long, John C. James, Charles W. Wandell and Rosel Hyde.
PRINTING—Albert K. Thurber, John M. Moody and James McGaw.
AGRICULTURE, TRADE AND MANUFACTURES—Edwin D. Woolley, Ezra T. Benson, Wm. Crosby and George Peacock.
MILITIA—Albert P. Rockwood, George Peacock, Hiram B. Clawson and Jacob G. Bigler.
INCORPORATIONS—John C. James, Jacob G. Bigler and Lorenzo H. Hatch.
LIBRARY—George Peacock, Daniel Thompson, Lorenzo H. Hatch and Wm. P. Nebeker.
PUBLIC DOMAIN AND SCHOOL LAND—Chauncey W. West, Albert K. Thurber and William Crosby.
PENITENTIARY—Albert P. Rockwood, Edwin D. Woolley and Washington F. Anderson.

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH.

SPECIAL SESSION—1860.

MONDAY, NOVEMBER 12, 1860.

COUNCIL.

COUNCIL CHAMBER, SOCIAL HALL, G. S. L. City.
Monday, Nov. 12, 1860, 12 m.

In accordance with the following proclamation, the Council of the Legislative Assembly of the Territory of Utah, convened in the Council Chamber, Social Hall, G. S. L. City, U. T., on Monday, Nov. 12th, at 12 m., to begin and hold said extra session:

"EXECUTIVE OFFICE, G. S. L. City,
Utah Territory, 20th Oct. 1860.

TO THE MEMBERS ELECT OF THE LEGISLATURE
OF THE TERRITORY OF UTAH:

A formal communication has been addressed to me by their honors Judges Kinney and Crosby, of the Supreme court of the Territory of Utah, in which they represent that their predecessors in office exercised, as they believe, a questionable power, in fixing the time and places for holding courts for the trial of Territorial cases in their respective districts; and they also allege that it is a matter of doubt whether any courts for Territorial business can be held until the Legislature shall meet and appoint the time and

places for holding such courts, create districts for the judges, assign them to their respective districts, and provide for holding courts in the counties within said districts;

And whereas the Legislature can be rightfully convened at an earlier day than that fixed by law, and may, when convened, repeal the law requiring it to meet on the second Monday (10th) of December, and resolve the extra session into an annual one, which I do hereby recommend:

Therefore, know ye, that I, Alfred Cumming, Governor of the Territory of Utah, by virtue of the authority and power vested in me as such, do hereby issue this my proclamation, requiring the members of the Council and House of Representatives of the Territorial Legislature for the Territory of Utah, to convene at the Social Hall, in Great Salt Lake City, on Monday the 12th day of November, A.D., 1860, at 12 o'clock m. of said day, for the purpose of attending to their legislative duties, and enacting such laws as may be for the best interests of said Territory.

{ L. S. }

Given under my hand and the seal of said Territory, at my office, at Great Salt Lake City, October 20th, 1860.

A. CUMMING.

By the Governor.

FRANCIS H. WOOTTON, Secretary."

The meeting was called to order by Mr. John T. Caine, Secretary of the previous session of the Council, who then proceeded to call the roll, when the following members answered to their names:

Daniel H. Wells, Albert Carrington, Franklin D. Richards and James Ferguson, from Great Salt Lake, Tooele and Shoshone counties.

Lorenzo Snow and Loria Farr, from Weber, Box Elder, Cache and Malad counties.

Leonard E. Harrington and John T. Hardy, from Utah and Cedar counties.

George A. Smith, from Iron and Washington counties.

On motion of Councilor Ferguson, the Council proceeded to organize by electing Hon. Daniel H. Wells, President.

On motion of Councilor Carrington, John T. Caine was elected Secretary.

On motion of Councilor Geo. A. Smith, E. W. East was elected Assistant Secretary.

On motion of Councilor F. D. Richards, Israel Ivins was elected Sergeant-at-Arms.

On motion of Councilor Carrington, Samuel L. Sprague was elected Messenger.

On motion of Councilor Harrington, Preston S. Free was elected Foreman.

On motion of Councilor Snow, Elder Joseph Young was elected Chaplain.

Chief Justice John F. Kinney, being present, by request then administered the usual oath to the President, Secretary, Messenger and Foreman elect.

Prayer was then offered by the President:

William R. Smith, who was elected from Davis county to fill the vacancy in the Council, caused by the absence of Hon. Charles C. Rich, appeared, presented his credentials, was sworn by Chief Justice Kinney, and took his seat.

Wilford Woodruff, who was elected from the counties of Great Salt Lake, Tooele and Shambip, to fill the vacancy caused by the resignation of the Hon. Orson Pratt, appeared, presented his credentials, was sworn by Chief Justice Kinney, and took his seat.

The Secretary then read the proclamation calling this extra session of the Legislative Assembly.

On motion of Councilor Geo. A. Smith, a communication was sent to the House of Representatives, notifying them that the Council was now organized and ready to proceed to the business of the extra session.

The following communication was received from the House:

“REPRESENTATIVES’ HALL, Nov. 12, 1860.

TO THE HON. PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—You are hereby respectfully notified that the House of Representatives of Utah Territory, is fully organized and ready for the business of the extra session.

JOHN TAYLOR, Speaker.

T. BULLOCK, Chief Clerk.”

The President of the Council then administered the usual oath to E. W. East, Assistant Secretary.

On motion of Councilor Carrington, Presidents Brigham Young and Heber C. Kimball were invited to seats within the bar of the Legislative Council.

On motion of Councilor Richards, a committee of two was appointed to act in conjunction with the House committee, to wait upon His Excellency the Governor, to inform him that the Legislative Assembly had convened in accordance with his proclamation, were fully organized and ready to receive any communication he might have to make.

The President appointed Councilors Richards and Snow said committee.

The House was notified of the said appointment.

The President then administered the usual oath to Israel Irvine, Sergeant-at-Arms elect.

The following communication was received from the House:

"The House of Representatives has appointed the Hons. Hosea Stout and Ezra T. Benson to wait, in conjunction with your committee, upon His Excellency Governor Cumming, to inform him that we are now organized and ready to receive any communication he may have to make to the Assembly.

Very respectfully,

JOHN TAYLOR, Speaker."

Whereupon the Council committee withdrew to enter upon the duties assigned them.

On motion of Councilor Ferguson, His Excellency the Governor, the Hon. Secretary of the Territory, their honors the judges of the Supreme court, the Surveyor General for the Territory of Utah, the Probate Judge of G. S. L. County, and the Mayor of G. S. L. City, were tendered seats within the bar of the Legislative Council.

The committee appointed to wait upon His Excellency the Governor returned, accompanied by Hon. Francis H. Wootton, Secretary of the Territory, who was introduced to the Council by Councilor Richards.

The Hon. Secretary then presented to the President of the Council, the message of His Excellency the Governor.

On motion of Councilor Carrington, a message was sent to the House requesting a joint session immediately, if practicable; when the following communication was received from the House:

"The House of Representatives has agreed to meet the Council in joint session immediately, according to request.

Respectfully,

JOHN TAYLOR, Speaker."

Upon which the Council repaired to meet the House in joint session.

(See Joint Session Minutes.)

3 1/2 p.m.

Upon dissolution of the joint session, the Council resumed its session in its chamber.

Roll called. Quorum present.

On motion of Councilor Farr, a committee of six was appointed

to take into consideration the question connected with assigning the U. S. Judges to their several districts.

Whereupon the President appointed Councilors Ferguson, Snow, Richards, Farr, Harrington and Carrington said committee, with instructions to report to-morrow morning.

On motion of Councilor G. A. Smith, the Council adjourned till to-morrow at 11 a.m.

Benediction by Councilor Farr.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, U. T., }
November 12, 1860, 2 p.m. }

The Legislative Assembly of the Territory of Utah, being in extra session, convened in accordance with the proclamation of His Excellency the Governor. The Council and the House of Representatives met in joint session in the Representatives' Hall, according to previous arrangement.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief Clerk of the House called the House roll. Quorum present.

Prayer by the Chaplain of the House.

The President of the Council then presented to the Assembly the message of His Excellency the Governor, which had been officially handed to the Council by Hon. Francis H. Wootton, Secretary of the Territory, whereupon, by request,

The Secretary of the Council read the Governor's message.

On motion of Councilor G. A. Smith, two hundred copies of the Governor's message were ordered to be printed for the use of the extra session of the Legislative Assembly.

On motion of Councilor Ferguson, a committee of two on the part of the Council and three on the part of the House was appointed to take into consideration the recommendation of His Excellency the Governor, relative to repealing the Resolution approved 19th Jan., 1855, which fixes the time at which the Legislature shall convene its annual sessions, and the propriety of merging this called, into the regular session for 1860-61.

The President of the Council appointed Councilors Carrington and G. A. Smith said committee on the part of the Council.

The Speaker of the House appointed Messrs. Stout, Clawson and Thurber on the part of the House.

On motion of Councilor Carrington, the public printer, elected by the last Legislative Assembly, was authorized to print, for the use of this Assembly, 200 copies of the Governor's message and such other matter as may be ordered to be printed during the extra session of the Assembly now convened.

On motion of Mr. Stout, one hundred copies of the minutes of the joint sessions of this extra session were ordered to be printed for the use of the Assembly.

On motion of Councilor Carrington, the joint session dissolved. Upon which the Council retired.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, U.T., }
November 12, 1860, 12 m. }

A special session of the Legislative Assembly of the Territory of Utah, convened in the Social Hall, in Great Salt Lake City, pursuant to a proclamation issued by His Excellency A. Cumming, Governor of Utah Territory, dated Oct. 20, 1860.

The House of Representatives was called to order at twelve m., by Mr. Thomas Bullock, Chief Clerk of the former House.

A quorum was present.

The following persons answered to their names:

Great Salt Lake County: Hosea Stout, Hyrum B. Clawson, Albert P. Rockwood, John V. Long, Edwin D. Woolley, Washington F. Anderson, William P. Nebeker, John M. Moody, James M. Whitmore.

Davis County: Horton D. Haight, Rosel Hyde.

Weber County: Chauncey W. West, James McGaw.

Utah and Cedar Counties: Albert K. Thurber, Isaac Bullock, Lorenzo H. Hatch.

Tooele County: Evan M. Greene.

Beaver County: Charles W. Wandell.

Iron County: Silas S. Smith.

On motion of Mr. A. P. Rockwood, Hon. Hosea Stout was appointed Speaker *pro tem*.

On motion of Mr. Rockwood, Mr. Thomas Bullock was appointed Clerk *pro tem*.

Mr. Rockwood moved that the Speaker *pro tem*. appoint a committee of three to examine the credentials or other evidence of the members elect, with a recess of ten minutes, to give an opportunity for the committee to attend to the duties assigned. Carried.

The Speaker appointed Hane, A. P. Rockwood, G. W. West and E. D. Woolley said committee, who, after examination of the credentials of the members elect present, reported their satisfaction with the evidence produced, and that the members were entitled to their seats.

On motion of Mr. West, Hon. Henry R. Crosby, Associate Justice of the Supreme Court, administered the necessary oath to the members present, by counties.

Hon. John Taylor, member for Great Salt Lake county arrived, presented his credentials and was duly sworn.

Hon. Ezra T. Benson, member from Box Elder, Cache and Malad counties arrived, presented his credentials and was also duly sworn.

Mr. Woolley moved that the House proceed to the election of its officers.

The following officers were then respectively elected by the unanimous vote of the House:

John Taylor, Speaker, who was then duly sworn, and took the chair.

Thomas Bullock, Chief Clerk.

Robert L. Campbell, Assistant Clerk.

David Candland, Sergeant-at-Arms.

Edward P. Duzette, Messenger.

Parley P. Pratt, Foreman.

David Pettegrew, Chaplain.

Hon. Henry R. Crosby administered the usual oath to the Clerks, Sergeant-at-Arms, Messenger and Chaplain.

The following message was received from the Council:

"COUNCIL CHAMBER, G. S. L. City,
Nov. 12, 1860.

TO THE HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council of the Legislative Assembly of Utah Territory have convened in extra session, in accordance with the proclamation of His Excellency the Governor, and are now fully organized according to law, and ready to proceed to business.

Respectfully, yours, etc.,

DANIEL H. WELLS, President."

The Council was notified that the House was also organized and ready for business.

Mr. Rockwood moved that a committee of the House be appointed to act with a like committee from the Council, to wait upon His Excellency Governor Cumming and inform him that the Legislative Assembly is now organized, and ready to receive any communication that he may have to make. Seconded and carried.

The Speaker appointed Hons. Hosea Stout and E. T. Benson said committee; and the Council was notified of their appointment.

Hon. Hosea Stout, in behalf of the committee appointed to wait upon His Excellency the Governor, reported that in connection with a like committee from the Council, they waited upon the Governor, who had forwarded his message, by the Secretary, to the Council.

The following message was received from the Council:

"GENTLEMEN:—The Council would be pleased to meet the House in joint session in the Representatives' Hall immediately, if practicable, for the purpose of hearing read a communication from His Excellency the Governor.

Respectfully, etc.,

DANIEL H. WELLS, President."

On motion of Mr. Stout, the House assented to the wishes of the Council, which was notified accordingly.

The Assembly went into joint session.

(See Joint Session Minutes.)

On joint session dissolving, the House resumed its sitting.

On motion of Mr. Woolley, the public printer of last session was authorized to print one hundred copies of the daily minutes of this extra session.

Mr. Clawson moved that His Excellency the Governor, the Secretary of State, their honors the Judges of the Supreme Court, the Surveyor General for the Territory, the Probate Judge of Great Salt Lake County, and the Mayor of Great Salt Lake City, be invited to seats within the bar of the House of Representatives during this session. Seconded and carried.

The minutes were read, amended and accepted.

On motion of Mr. Stout, the House adjourned till to-morrow at ten a.m.

Benediction by the Chaplain.

TUESDAY, NOVEMBER 13, 1860.

COUNCIL.

COUNCIL CHAMBER, SOCIAL HALL,

G. S. L. City, Nov. 13, 1860, 11 a.m. }

Council convened pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Minutes of yesterday read and accepted.

On motion of Councilor Geo. A. Smith, a communication was sent to the House requesting a joint session, for the purpose of hearing the report of the joint committee appointed by the joint session of yesterday.

On motion of Councilor Ferguson, one hundred copies of the daily minutes of the Council were ordered to be printed for the use of the Legislative Assembly.

The following communication was received from the House:

"The House of Representatives is ready to meet the Council in joint session according to their request.

Very respectfully,

JOHN TAYLOR, Speaker."

Upon which the Council repaired to meet the House in joint session in the Representatives' Hall.

(See Joint Session Minutes.)

1 p.m.

Upon the dissolution of the joint session, the Council resumed its regular session.

Councilor Ferguson, chairman of the special committee appointed on yesterday, made the following report:

"Your committee, to whom was referred the consideration of the subject of the assignment of the justices of the Supreme and District courts of the Territory to their several districts, having considered the matter carefully, are favorably disposed to such assignment, and beg leave so to report, and to recommend the passage of the accompanying bills:

'An act assigning the Chief Justice and the two Associate Justices to their several judicial districts.'

'An act prescribing the times and places of holding district courts for the transaction of Territorial business in the several judicial districts.'"

On motion of Councilor Geo. A. Smith, (C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to their several judicial districts," was read the first time, and,

On motion of Councilor Ferguson, the bill was taken up on its second reading.

On motion of Councilor Farr, the bill was read the third time, passed, and ordered to be sent to the House for its concurrence.

On motion of Councilor Harrington, (O. F. No. 2) "An act prescribing the times and places of holding district courts for the

transaction of Territorial business in the several judicial districts," was read the first time.

On motion of Councilor Smith, the bill was read the second time.

On motion of Councilor Carrington, the bill was read the third time, passed, and ordered to be sent to the House for its concurrence.

The following communication was received from the House:

"The House of Representatives has concurred in your bill (C. F. No. 1) entitled 'An act assigning the Chief Justice and the two Associate Justices to their several judicial districts,' which is herewith returned."

The following communication was also received from the House:

"Your bill (C. F. No. 2) 'An act prescribing the times and places of holding district courts, for the transaction of Territorial business, in the several judicial districts,' has passed the House of Representatives without amendment."

On motion of Councilor Carrington, the above acts (C. F. Nos. 1 and 2) were ordered to be engrossed, signed, and sent to the Governor for approval.

The minutes were read and accepted.

On motion of Councilor Harrington, the Council adjourned till 6 o'clock this evening.

Benediction by the Chaplain.

6 p.m.

Council convened pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

On motion of Councilor Carrington, a joint communication, signed by the President of the Council and the Speaker of the House, was addressed to His Excellency the Governor, informing him that the Assembly having deemed it inexpedient to merge this extra session into the regular annual session; and having passed such acts as they deemed sufficient to meet the exigency set forth in the proclamation, contemplated dissolving this evening, and was now awaiting any further communication he might have to make.

On motion of Councilor G. A. Smith, a joint communication, signed by the President of the Council and the Speaker of the House, was addressed to the Honorable Secretary of the Territory, tendering him the acknowledgments of the Assembly, for his generous courtesy in furnishing supplies to this extra session, and requesting him to immediately make such arrangements as would se-

cure the safe keeping of the property, for future use, as the Assembly would probably dissolve this evening.

A communication was received from His Excellency the Governor, informing the Assembly that, under existing circumstances, he saw no necessity for a longer continuance of this extra session.

On motion of Councilor Richards, a communication was sent to the House, suggesting that the ~~extra~~ session now dissolve.

The minutes were read and accepted.

On motion of Councilor Carrington, the Council dissolved.

Benediction by Councilor Farr.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, }

Tuesday, Nov. 13, 1860. }

The Assembly met in joint session according to previous arrangement.

The President of the Council presiding.

The Secretary of the Council called the Council roll. Quorum present.

The Chief Clerk of the House called the House roll. Quorum present:

Prayer by the Chaplain of the House.

Councilor Carrington, chairman of the joint committee appointed yesterday, made a report, which was read, and,

On motion of Mr. Rockwood, the report was accepted.

On motion of Councilor Ferguson, the report of the committee was adopted and ordered to be spread on the minutes.

"TO THE HONS. THE PRESIDENT OF THE COUNCIL

AND SPEAKER OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the portion of the Governor's message relative to this extra session, respectfully report, that we have given the subject careful and deliberate consideration in all its bearings presented to us, and recommend that this extra session, after assigning the Judges of the Supreme and District courts to their several judicial districts and providing for their holding courts for the transaction of Territorial business in said districts, (as suggested by His Excellency the Governor in his proclamation convening this extra session and in his message thereto) dissolve; deeming it inexpedient, under existing exigencies, to change the time of the meeting of the annual sessions of the Legislative Assembly.

A. J. CARRINGTON, Chairman of Joint Committee."

The minutes were read and accepted.

On motion of Councilor G. A. Smith, the joint session dissolved.
Upon which the Council repaired to their chamber.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
November 13, 1860, 10 a.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker administered the necessary oath to Mr. Pratt, the foreman.

On motion of Mr. Long, the courtesy of the House and freedom of the bar was extended to His Excellency ex-Governor Young, Hon. John M. Bernhisel, the ex-members of the Legislative Assembly, and the gentlemen of the press.

The following message was received from the Council:

"GENTLEMEN:—Understanding that the joint committee appointed by the joint session of yesterday is now ready to report, the Council respectfully request a joint session in the Representatives' Hall immediately, if convenient, for the purpose of hearing said report.

Respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Rockwood, the House concurred in the wish of the Council, and they were notified accordingly.

The Assembly went into joint session.

(See Joint Session Minutes.)

On joint session dissolving, the House resumed its sitting.

Mr. Rockwood moved that a committee of three be appointed to assign the judges to their respective districts. 'Seconded and carried.

Whereupon the Speaker appointed Messrs. Rockwood, Bullock and West said committee.

The following message was received from the Council:

"GENTLEMEN:—The inclosed act (C. F. No. 1) 'An act assigning the Chief Justice and the two Associate Justices to their several judicial districts, has passed the Council, and is now sent to your honorable body for concurrence.

Respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Stout, the bill was received and laid on the table to come up in its order.

The bill (C. F. No. 1) was taken up and read, and,

On motion of Mr. Wandell, passed its first reading.

Mr. Stout moved that the bill be amended so as to assign Judge Crosby to the first and Judge Flenniken to the second district. Seconded.

After a lengthy discussion the amendment was negatived.

On motion of Mr. Clawson, the bill passed its second reading.

On motion of Mr. Bullock, the bill passed its third reading.

On motion of Mr. Greene, the bill passed by its title, and the Council were notified thereof.

The following message was received from the Council:

"GENTLEMEN.—The inclosed bill (C. F. No. 2) 'An act prescribing the times and places of holding district courts for the transaction of Territorial business in the several judicial districts,' has passed the Council, and is now sent to your honorable body for concurrence.

Respectfully, etc.,

DANIEL H. WELLS, President."

The bill (C. F. No. 2) was read, and,

On motion of Mr. Wandell, was received and laid on the table to come up in its order.

The following message was received from his honor the Secretary:

"HON. JOHN TAYLOR, SPEAKER:

SIR:—I have the honor to acknowledge your communication which has just been received, informing me that I have unanimously been invited to a seat within the bar of your honorable House. For this compliment you will please communicate to your members my thanks, and to state that it will afford me great pleasure to avail myself of the privilege.

I am, sir, very respectfully, your obt. servant,

FRANCIS H. WOOTTON."

(C. F. No. 2) "An act prescribing the times and places of holding District courts for the transaction of Territorial business in the several judicial districts," was read, and,

On motion of Mr. Bullock, passed its first reading.

On motion of Mr. Greene, the bill passed its second reading.

On motion of Mr. Wandell, the bill passed its third reading.

The Council was notified of the concurrence of the House.

Mr. Rockwood, chairman of the special committee, to whom was referred the subject of assigning the judges to their respective dis-

attends, and appointing the times for holding the District courts for the transaction of Territorial business, reported that the committee had taken the subject into consideration, and deemed it unnecessary to report a bill, in consequence of the action of the Council reporting a bill, which has been considered in by the House, and begged leave to be discharged from further duties pertaining thereto.

On motion of Mr. Long, the report was accepted and the committee discharged.

The minutes were called for and read.

On motion of Mr. Woolley, they were accepted.

The House adjourned till 6 p.m.

Benediction by the Chaplain.

The House met pursuant to adjournment. 6 p.m.

Called to order by the Speaker.

Roll called. Quorum present.

The following was received from the Council:

There being no further business before the Assembly, the Council respectfully suggests that the extra session now dissolve.

DANIEL H. WELLS, President.

Mr. Long moved that this extra session now dissolve. Seconded and carried.

The minutes were read and accepted.

Benediction by the Chaplain.

The House adjourned.

Adjourned.

Adjourned.

Adjourned.

Adjourned.

Adjourned.

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Adjourned.

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH.

—o—
TENTH ANNUAL SESSION—1860-61.
—o—

MONDAY, DECEMBER 10, 1860.

—
COUNCIL.

Monday, December 10, being the day appointed by law for the convening of the tenth annual session of the Legislative Assembly of the Territory of Utah, the members of the Council met in the Council Chamber, Social Hall, Great Salt Lake City, at 10 a. m.

Meeting called to order by John T. Caine, the Secretary of the last session, who then proceeded and called the roll, when the following members answered to their names:

Daniel H. Wells, Albert Carrington and James Ferguson, from Great Salt Lake, Tooele and Shambip counties.

Lorin Farr, from Weber, Box Elder, Cache and Malad counties.

Leonard E. Harrington and John T. Hardy, from Utah and Cedar counties.

Edwin Whiting, from Juab and Sanpete counties.

George A. Smith, from Iron and Washington counties.

On motion of Councilor Carrington, Councilor George A. Smith was elected President pro tem.

On motion of Councilor Farr, John T. Caine was elected Secretary pro tem.

On motion of Councilor Carrington, the Council voted the appointment by the President of a committee of three on credentials.

The President accordingly appointed Councilors Ferguson, Harrington and Whiting said committee.

The committee having obtained leave, withdrew to enter upon the duties assigned them.

Councilor Ferguson, chairman of the committee on credentials reported that they had examined the credentials of Hon. Wilford Woodruff, who had been elected by the counties of Great Salt Lake and Tooele to fill the vacancy in the Council, occasioned by the resignation of Hon. Orson Pratt, sen.; of Hon. William R. Smith, who had been elected by the county of Davis to fill the vacancy in the Council, occasioned by the resignation of Hon. C. C. Rich; and of Hon. John A. Ray, who had been elected by the counties of Millard and Beaver, to fill the vacancy in the Council, occasioned by the resignation of Hon. Amasa Lyman, and found them all correct, being signed by the Governor and Secretary of the Territory, and that those Gentlemen were entitled to seats in the Council.

On motion of Councilor Farr, the report was accepted and the committee discharged.

Upon request of the President, Hon. Francis H. Wootton, Secretary of the Territory, administered the customary oath to Hon's. Wilford Woodruff, William R. Smith, and John A. Ray, councilors elect, who thereupon took their seats.

On motion of Councilor Carrington, the Council agreed to proceed to the election of its officers for the session.

On motion of Councilor Carrington, Hon. Daniel H. Wells was elected President.

Hon. Francis H. Wootton, Secretary of the Territory, administered the usual oath to the President elect, who thereupon took the chair, and entered upon the duties of his office.

On motion of Councilor Ferguson, John T. Caine was elected Secretary.

On motion of Councilor Carrington, T. W. Ellerbeck was elected Assistant Secretary.

On motion of Councilor Farr, Israel Ivins was elected Sergeant-at-arms.

On motion of Councilor Woodruff, Samuel L. Sprague was elected Messenger.

On motion of Councilor Ferguson, Preston S. Free was elected Foreman.

On motion of Councilor Farr, Elder Joseph Young was elected Chaplain.

Hon. Francis H. Wootton, Secretary of the Territory, then administered the usual oath of office to the Secretary, Sergeant-at-arms, Messenger and Chaplain elect, separately, whereupon those officers immediately entered upon the duties of their respective offices.

The President declared the Council fully organized and ready for business.

Prayer was offered by the Chaplain.

The President administered the customary oath of office to the Assistant Secretary elect, who thereupon took his seat, and entered upon the duties of his office.

On motion of Councilor Smith, a message was sent to the House of Representatives, informing them that the Council had convened according to law, was now fully organized and ready to proceed to the business of the session.

The President then administered the usual oath of office to the Foreman elect, who immediately entered upon the duties of his office.

The following message was received from the House:

REPRESENTATIVES' HALL, G. S. L. City. }
December 10, 1860. }

"TO THE HON. THE PRESIDENT AND COUNCIL
OF THE LEGISLATIVE ASSEMBLY:

GENTLEMEN:—You are respectfully notified that the House of Representatives of Utah Territory is fully organized according to law and ready for business.

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk."

The President of the Council presented a communication from the County-Clerk of Great Salt Lake County, as follows:

"GREAT SALT LAKE CITY, Dec. 3, 1860.

HON. D. H. WELLS, PRESIDENT OF THE COUNCIL:

SIR:—I herewith transmit you the following Resolution, passed by the County Court of Great Salt Lake County at its last sitting:

"That for and in behalf of the county of Great Salt Lake, We tender to the Legislative Assembly the use of the County Court House, for the holding of its tenth annual session, reserving for the use of the county, the clerk's office, and the small hall heretofore used for court purposes.

Be it further resolved, that the Clerk furnish the Secretary of the Territory, the President of the Council and the Speaker of the House of Representatives with a copy of the foregoing Resolution"

Very respectfully,

E. W. EAST, Clerk.

On motion of Councilor Farr, the Council accepted the tender of the use of the County Court House, and voted the appointment by the President of a committee to draft resolutions in acceptance of the same.

Councilor A. Carrington, George A. Smith and James Ferguson were appointed said committee.

Councilor Carrington presented "Resolution, changing the place of holding the tenth annual session of the Legislative Assembly, from the Social Hall to the County Court House in Great Salt Lake City," which was read, and,

On motion of Councilor George A. Smith, the Resolution was adopted and sent to the House for its concurrence.

Councilor Ferguson in behalf of the committee appointed for that purpose reported the following:

PREAMBLE AND RESOLUTIONS.

"Whereas, the Hon. County Court of Great Salt Lake county have prepared suitable and convenient rooms in the County Court House, and have courteously tendered the use of them for the accommodation of the Legislative Assembly during its present session:

Therefore, Be it resolved that we accept their kind offer and tender unto them our united and most cordial thanks;

Resolved that we tender unto the Hon. Elias Smith, R. Miller, Esq., S. D. Huffaker Esq., and R. J. Golding, Esq., members of the County Court, E. W. East, Esq., clerk of said court; Theodore McKean, Esq., Treasurer, and R. T. Burton, Esq., sheriff of G. S. L. County the freedom of the two Houses during the present session of the Legislative Assembly.

Resolved, that these Resolutions be spread upon the journals of each House, and that the Secretary of the Council be instructed to forward a copy thereof to each of the gentlemen above mentioned."

Which were read, and,

On motion of Councilor Carrington, were unanimously adopted and sent to the House for its concurrence.

On motion of Councilor Ferguson, a communication was sent to the House, soliciting a joint session, to-morrow, at 12 m., in the Representatives' Hall, for the purpose of receiving any communication which His Excellency, the Governor might have to make to the Assembly.

The following message was received from the House:

"The Resolution changing the place of holding the tenth annual session of the Legislative Assembly, from the Social Hall, to the County Court House in Great Salt Lake City, is herewith returned, concurred in by the House of Representatives.

Very Respectfully,

JOHN TAYLOR, Speaker."

The following message was also received from the House:

"The House of Representatives has concurred in your Preamble

and Resolutions, accepting of the use of the rooms in the Court House of Great Salt Lake County, etc., and the same is herewith respectfully returned; and have also concurred in your wishes to meet in joint session at twelve to-morrow, in the Representatives' Hall.

Very Respectfully,

JOHN TAYLOR, Speaker."

On motion of Councilor Carrington, the Council voted that a committee of two be appointed to be associated with a similar committee from the House to wait upon His Excellency the Governor and inform him of the complete organization of both Houses, and their agreement to meet in joint session at 12 m., to-morrow in the Representatives' Hall, to receive any communication he might have to make.

Councilors Ferguson and Farr were appointed said committee, and the House were informed accordingly.

On motion of Councilor George A. Smith, the Council adjourned to meet in their Chamber in the County Court House in Great Salt Lake City, on to-morrow at 11 a. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, Social Hall,
G. S. L. City, Utah Territory, Dec. 10, 1860, 10 a.m. }

The tenth annual session of the Legislative Assembly of the Territory of Utah, convened in the Social Hall, in Great Salt Lake City, pursuant to a resolution passed at the last session, and approved Jan. 20, 1860.

The House was called to order at half-past ten a.m., by Mr. Thomas Bullock, chief clerk of the former House.

The following persons answered to their names:

Great Salt Lake County—John Taylor, Hosea Stout, Hiram B. Clawson, Albert P. Rockwood, John V. Long, Edwin D. Woolley, John M. Moody, William P. Nebeker.

Davis County—Horton D. Haight, Rosel Hyde.

Weber County—Chauncey W. West, James McGaw.

Tooele and Shambip Counties—Evan M. Greene.

Utah and Cedar Counties—Albert K. Thurber, Lorenzo H. Hatch.

Sanpete County—George Peacock.

Millard County—Daniel Thompson.

Beaver County—Charles W. Wandell.

Iron and Washington Counties—Silas S. Smith, William Crosby.

A quorum being present, on motion of Mr. Stout, Hon. John Taylor was elected speaker *pro tem*.

On motion of Mr. West, Mr. Thomas Bullock was elected clerk *pro tem*.

Mr. Rockwood moved, that the speaker appoint a committee of one to examine the credentials or other evidence of the members elect, with a recess of ten minutes, to give an opportunity for the committee to attend to the duties assigned, and report forthwith.---
Seconded and carried.

Whereupon the speaker appointed Mr. A. P. Rockwood said committee, who, after examination of the credentials of the members elect present, reported his satisfaction therewith, and that the members were entitled to their seats.

On motion of Mr. Stout, a committee of two, viz., Messrs. Woolley and West, was appointed by the speaker to wait upon his Honor, Secretary Francis H. Wootton, and request him to administer the necessary oath to the members and officers.

The Honorable Secretary arrived and administered the necessary oath to the members present, by counties.

On motion of Mr. Rockwood, The House proceeded to the election of officers.

The following officers were severally elected by unanimous vote:

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk.

ROBERT L. CAMPBELL, Assistant Clerk.

DAVID CANDLAND, Sergeant-at-Arms.

EDWARD P. DUZETTE, Messenger.

PARLEY P. PRATT, Foreman.

DAVID PETTEGREW, Chaplain.

To whom, individually, the Hon. Secretary duly administered the necessary oath.

The Chaplain engaged in prayer.

A communication was received and read from Great Salt Lake County Court, tendering the use of the County Court House to the Legislative Assembly for its tenth annual session, reserving for the use of the county, the clerk's office, and the small hall heretofore used for court purposes.

On motion of Mr. Rockwood, a note was sent to the Council notifying them that the House was organized and ready to proceed to business.

A message was received from the Council and read, notifying

the House, that they had convened according to law, and organized, and were ready to proceed to the business of the session.

On motion of Mr. West, Messrs. Rockwood, Greene and Woolley were appointed a committee to visit and examine the Court House and report as to its conveniences and facilities for convening the House of Representatives during its present session.

A motion to adjourn to give said committee time to report was made, discussed, and negatived.

Mr. Rockwood reported, that the committee appointed to examine the Court House, had done so. and found that said Court House was fitted up comfortably for the use of the House of Representatives.

A message from the Council was received, and read, enclosing, "A resolution changing the place of holding the tenth annual session of the Legislative Assembly from the Social Hall to the County Court House in Great Salt Lake City." Which had been adopted by the Council, and was respectfully submitted to the House for concurrence.

The resolution was read, and after some discussion, the House concurred; and the Council were notified accordingly.

The Hons. Jacob G. Bigler, member for Juab county, John C. James, member for Carson, St. Mary, and Humboldt counties, Isaac Bullock, member for Utah and Cedar counties, appeared, presented their credentials and were duly sworn individually, by his Honor, Judge Crosby.

A letter was received and read from the Council, enclosing the following preamble and resolutions:

"Whereas, the Hon. County court of Great Salt Lake county have prepared suitable and convenient rooms in the County Court House; and have courteously tendered the use of them, for the accommodation of the Legislative Assembly during the present session:

"Therefore, Be it resolved that we accept their kind offer, and tender unto them our united and most cordial thanks.

"Resolved that we tender unto the Hon. Elias Smith, R. Miller, Esq.; S. D. Huffaker, Esq., and R. J. Golding, Esq., members of the County court, E. W. East, Esq., Clerk of said court; Theodore McKean, Esq., Treasurer, and R. T. Burton, Esq., Sheriff of G. S. L. County the freedom of the two Houses during the present session of the Legislative Assembly.

"Resolved that these resolutions be spread upon the journals of each house, and that the Secretary of the Council be instructed to forward a copy thereof to each of the gentlemen above mentioned," which were read, and,

On motion of Mr. Stout, the House concurred and the Council was notified accordingly.

[DEC. 11.]

A message was received and read from the Council soliciting "A joint session of the Legislative Assembly, to-morrow, at twelve m., in the Representatives' Hall, for the purpose of receiving any communication which his Excellency, the Governor, may have to make."

On motion of Mr. Peacock, the House concurred in the wishes of the Council for a joint session to-morrow at twelve m.; and they were notified accordingly.

The following was received from the Council:

"The Council has appointed Councilors Ferguson and Farr a committee to act in conjunction with any committee appointed by the House for that purpose, to wait upon his Excellency the Governor, and inform him that both Houses of the Legislative Assembly are now fully organized and have agreed to meet in joint session to-morrow at 12 m., to receive any communication he may have to make."

On motion of Mr. Wandell, the Speaker appointed Messrs. Clawson and Moody a committee to act in conjunction with the committee from the Council.

The minutes were read, discussed and accepted.

On motion of Mr. Woolley, the House adjourned to meet in the Representatives' Hall to-morrow at eleven a.m.

TUESDAY, DECEMBER 11, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 11, 1860, 11 a.m. }

Council met in their chamber, in the County Court House, pursuant to resolution and adjournment of yesterday.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of 10th inst. read and accepted.

Councilor Ferguson, from the joint committee appointed to wait upon His Excellency the Governor, and inform him of the complete organization of the two houses, and their agreement to meet in joint session in the Representatives' Hall, at 12 m. to-day, to receive any communication he would be pleased to make; reported that the committee had fulfilled their instructions, that His Excellency had forwarded a written communication by their hands, and that they were ready to present it to the Assembly when in joint session.

The time appointed for the joint session having arrived,

On motion of Councilor Carrington, a message was sent to the House that the Council was ready, and awaiting the convenience of the House.

The following reply was received from the House: "The House of Representatives are ready to meet the Council in joint session immediately.—Very respectfully,

JOHN TAYLOR, Speaker."

The Council repaired to the Representatives' Hall to meet in joint session.

2 p.m.

Upon dissolution of the joint session, the Council returned to their chamber.

The President of the Council appointed the following

Standing Committees of the Council:

On Judiciary: A. Carrington, Geo. A. Smith, James Ferguson and L. E. Harrington.

On Claims and Appropriations: L. Farr, J. A. Ray and J. T. Hardy.

On Petitions and Memorials: Geo. A. Smith, F. D. Richards, Lorenzo Snow and John A. Ray.

On Revenue: Wilford Woodruff, L. E. Harrington, William R. Smith and Edwin Whiting.

On Elections: L. E. Harrington, Edwin Whiting and F. D. Richards.

On Counties: F. D. Richards, J. T. Hardy and Wm. R. Smith.

On Roads, Bridges, Ferries and Kanyons: L. Snow, E. Whiting, L. E. Harrington and Geo. A. Smith.

On Education: James Ferguson, John A. Ray, E. Whiting and A. Carrington.

On Engrossing: John A. Ray, J. Ferguson and Lorenzo Snow.

On Printing: Lorin Farr and Lorenzo Snow.

On Agriculture, Trade and Manufactures: Wilford Woodruff, L. E. Harrington, Wm. R. Smith and Geo. A. Smith.

On Militia: J. Ferguson and F. D. Richards.

On Incorporations: Lorin Farr, John T. Hardy and John A. Ray.

On Library: Wilford Woodruff and John T. Hardy.

On Public Domain and School Lands: Lorenzo Snow, William R. Smith, John A. Ray and A. Carrington.

On Penitentiary: Lorin Farr, W. Woodruff and John A. Ray.

On motion of Councilor Geo. A. Smith, it was ordered that one hundred copies of the names and residences of the members of the Council, with the names of its officers and standing committees, be printed for the use of the Assembly.

On motion of Councilor Ferguson, the freedom of the Council Chamber was tendered to President B. Young, President H. C. Kimball, His Excellency Gov. Cumming, Hon. Secretary of the

Territory, the Hon. Chief Justice and Associate Justices of the U. S. Supreme Court for the Territory, the Surveyor-General and Superintendent of Indian Affairs of the Territory, the Probate Judge of G. S. L. County, the Hon. J. M. Bernhisel, and the Hon. A. O. Smoot, Mayor of G. S. L. City.

On motion of Councilor Farr, Council adjourned till to-morrow, at 11 a.m.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL.

Dec. 11, 1860, 12 m. }

Pursuant to agreement of the 10th inst., the Assembly met in joint session.

The President of the Council presiding,

Called the Assembly to order.

The Secretary of the Council called the roll of the Council.

Quorum present.

The Chief Clerk of the House called the House roll.

Quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session open and ready for business.

Councilor Ferguson, from the joint committee appointed to wait upon His Excellency the Governor, to inform him of the full organization of the Assembly, and of the joint session of the two Houses to take place at 12 m. to-day, presented a written message accompanied by reports of the Auditor and Treasurer of the Territory, which His Excellency had forwarded by their hands.

The Secretary of the Council, by direction of the President, read the Governor's Message and accompanying documents, as follows:

COMMUNICATION.

EXECUTIVE OFFICE, G. S. L. City,
10th Dec., 1860. }

TO THE COUNCIL AND HOUSE OF REPRESENTATIVES
OF THE LEGISLATURE OF UTAH:

GENTLEMEN:—

On the 12th ultimo, at a called session, I addressed to the Council and House of Representatives my annual message, in which I made such suggestions as the public interest seemed to demand. Copies of that commu-

nication, together with the Reports of the Treasurer and Auditor, are herewith annexed. I invite your attention to them.

The necessity of an early assignment of the Chief Justice and his associates, with the view of ensuring in good season sessions of the courts in their respective districts, is again urged upon your consideration. There should be a careful avoidance on your part of any action which might be construed into a desire of unnecessarily postponing the holding of district courts for the transaction of Territorial business. I am convinced that, should you adopt any measure calculated to produce such an impression, it would prove alike unwise and impolitic.

Your attention is called to the fact that, under the existing law, special sessions of the District Courts can only be held "upon the petition of not less than one hundred legal voters and tax payers residing in any judicial district," at the same time, the effect of such petition may be obstructed by a larger number of "like qualified signers" remonstrating against the petition. As a remedy for the evils which, in certain cases, may arise from the action of persons who, under sanction of the law, might seek to obstruct the course of justice, I would recommend that the judges be authorized to hold special sessions or county courts in one or more counties in their several districts for the trial of Territorial causes. An additional reason for the adoption of the change suggested is, that parties residing at points remote from the stated places for holding courts, may receive the benefits of them, without being subjected to unnecessary inconvenience and expense.

The Chief Justice and his associates should be authorized to alternate in the several districts, and it should be made incumbent on them to hold courts whenever the presiding judge of a district may, from any cause, be unable to officiate.

Some change should be made in the penal code, by which the Territory may be relieved from the expense of transporting prisoners from remote parts of the country to the penitentiary in this county.

Many of the laws now on the statute book were passed under a condition of things, which will soon cease to exist. You cannot reasonably anticipate a continuance of the partial isolation which has characterized your early history in this region. It must be borne in mind that you are situated upon the great highway between the oceans, which is already traversed by expresses and telegraphs, and is soon to witness the establishment of a railroad transporting through your valleys the commodities of the world. It would be well that you make timely preparation for changes that are fast approaching you, and are ultimately inevitable. New relations between yourselves, and between yourselves and the outer world must occur. I would, therefore, urge upon you that you appoint committees to prepare a code of laws, suited to the present and future requirements of this community.

The judges are constituted your legal advisers in these matters; to them I refer you.

A. CUMMING.

GOVERNOR'S MESSAGE.

EXECUTIVE OFFICE, G. S. L. City, }
12th Nov., 1860. }

TO THE COUNCIL AND HOUSE OF REPRESENTATIVES
OF THE LEGISLATURE OF UTAH:

GENTLEMEN:—

The Judges of the Supreme court of this Territory, having advised me recently that their predecessors had exceeded the limits of their authority in attempting to fix the times and places of holding courts for the trial of Territorial cases in their respective districts, and that therefore their action in the case was virtually null, I took the matter into consideration, and decided that the public interest demanded that there should be no farther delay in holding sessions of the several district courts; that no doubts ought to exist in relation to the proper times and places of holding them; and that the duty of creating or modifying the districts for the Judges, assigning them to their respective districts, and providing the funds necessary for holding such courts, devolved properly upon the Legislative Assembly.

I, therefore, summoned you by a proclamation, dated 20th October, 1860, to convene at the Social Hall in this city, on this twelfth day of November, 1860.

The Chief Justice and his associates will enter upon the duties of their respective offices so soon as you have made the arrangements. I believe that the profession and personal reputation of these gentlemen entitles them to the respect and confidence of the community, and will dispel the distrust engendered by the action of their predecessors.

During the recess of the Legislature, Mr. John Kay, the former Marshal for Utah, left the Territory on a visit to England, his absence occasioning a vacancy in that office. I filled it by appointing Mr. McKean.

I would here take occasion to remark, that it is very desirable that the Territorial Marshal should in every way be qualified for the performance of the duties of his office, as upon him will devolve the business of all Territorial cases, to the exclusion of the United States Marshal whose duties are restricted to United States cases.

It is of the highest importance to dispose of the vexed question with regard to the respective powers of the United States and Probate courts. The United States Judges are supposed to entertain opinions adverse to the exercise of certain powers of the Probate court, claimed by the latter, under 29th section, 1st chapter, of an act passed by the Legislative Assembly in relation to the Judiciary, approved Feb. 4, 1852, as follows: "The several Probate courts, in their respective counties have power to exercise original jurisdiction, both civil and criminal, and as well in chancery as

at common law, where not prohibited by Legislative enactment; and they shall be governed in all respects by the same general rules and regulations as regards practice as the District courts." In this action the Legislature relied upon chapter 51, section 9, Organic Act, as follows: "The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate courts and of Justices of the Peace, shall be as limited by law." No case has come up for the decision of this question, upon its own merits. There should be no further delay in securing an opinion which would be final.

I have urged this subject upon the attention of the Secretary of State; and, in his reply have been assured that the subject had been submitted to the Attorney General on the second day of May, 1860, since which time I have not received any further communication on that subject from his office.

So long as this conflict as to the respective powers of the courts continues, the mandates of the higher courts should be implicitly obeyed.

The population of the western portion of this Territory, known as Nevada, has recently become much more numerous, in consequence of the influx of a large number of persons, attracted by the mineral wealth of that region. Those persons, who labored to secure the benefits of county organization, encountered formerly violent opposition, which arose, I believe, chiefly from unfounded objections to the statutes of this Territory. A more thorough knowledge of the character of these statutes dispelled this prejudice and induced the more law-abiding persons to receive and recognize them as the law of the land.

The vast extent of uninhabited country which separates these valleys from those of Sierra Nevada, renders intercourse between them very inconvenient, and makes it very probable that the latter will receive a separate Territorial organization from the government, so soon as the increased population shall have become permanent, and sufficiently large to justify the United States in granting their request for one.

At the last annual election, Carson county renewed its organization and elected its county officers and a representative to the Legislature. All these officers have received their commissions.

A large number of the people who inhabit the region bordering on the Sierra Nevada are employed in mining, and will probably require some legislative action, suited to their peculiar needs. This benefit, I trust, will be extended to them, so far as it may be consistent with the general interest. Your powers do not extend to the primary disposal of the soil, but much good may accrue to them from grants for temporary use and occupancy.

The condition of the Indian tribes of the Territory demands the immediate attention of the government. The Indian title has not been extinguished, nor indeed have any treaties been made with any Indians inhabiting this country. Spain, from whom indirectly this country was acquired by the United States, uniformly refused to recognise any title in the Indian tribes

to the lands occupied by them; but though the grant of the Pope may have been sufficient for the semi-barbarous Spaniard, it should have no influence on a humane and enlightened government. I recommend that a memorial be addressed to the proper officer at Washington, requesting the immediate appointment of commissioners to treat with the tribes of this country, and with the wandering tribes of Bannacks and Shoshones who roam over the portions of Oregon bordering the northern frontier of Utah.

It may be well also to embody in your memorial an expression of opinion in regard to the Indian farms, as they have been hitherto conducted in this Territory. These farms occupy a large quantity of land required by the industrious inhabitants; and, as I believe, they serve chiefly to support a few persons in comparative idleness. Some wheat is produced on them which averages to the United States a cost of more than ten dollars a bushel, and, in my opinion, a large part of this wheat is consumed by the producers.

It is time that this community should be relieved from the burden of feeding the Indians throughout the country. If a wise and liberal policy shall actuate the appointment of suitable commissioners, and shall frame their instructions, it will be an act of justice and humanity towards the Indian. It will relieve the inhabitants from depredations, the emigration from robbery, and their families from wholesale butchery. Then the officers of the Indian department might exchange the contempt and distrust of the Indians for their respect and confidence.

So soon as the Indian title shall have been extinguished, the government will doubtless establish land offices in this Territory. In this connexion I would repeat that the land laws of our country are based upon wise and liberal principles. To actual settlers upon the public domain they extend protection against the usurpations of individuals and speculations of monopolists.

When these lands are open for sale and pre-emption, the public interest, and especially the interest of the poorer classes, would be promoted by restricting claims by law to less than quarter sections. I think they should be restricted to lots not exceeding twenty acres.

I should recommend that Congress be memorialized on the subject of the restriction of pre-emptions, in accordance with the suggestions contained in the foregoing paragraph; also, with regard to the permanent establishment of some system of equitable distribution of water and timber. If this latter provision be neglected, the occupants of the canyons and timbered lands may exercise an oppressive influence upon the cultivators of the arable land in the valleys.

A large quantity of merchandize is sold annually at Fairfield, near Camp Floyd. I am told that no taxes have been collected from this source. If these goods are properly exempt from taxation, it should be so understood. If any legislation on this subject be required, I request that you

will supply it, so that the proper officers may be enabled to perform their duties.

This Territory has never received her quota of arms from the United States. H. K. Craig, colonel of ordnance, has addressed to me several communications on this subject. On the 11th January, 1860, he advised me that there was then due to Utah, 2,775 muskets, together with accoutrements, etc., which by existing regulations would be delivered at any place in the Territory "situated upon navigable waters, or otherwise easily accessible; to be designated by the Governor or other authorized officer of the Territory. The United States cannot, however, incur any extraordinary expenses for the transporting the arms into the interior by land." I herewith annex a statement of the cost of small arms, field artillery, and their equivalent in muskets.

In my opinion, the "Revised Statutes" contain several acts and resolutions, which ought to be repealed. With a laudable desire to strip Legislation of superfluous forms, your predecessors have left some acts hardly intelligible. To the uninitiated, others which are intended to govern the practice in the courts, are simply absurd. If nothing else can be effected, the index ought to be rendered intelligible.

In addition to the books contained in the Utah Library, there are a large number of public documents, reports, statutes and valuable miscellanies, which, for want of a suitable room in which to deposit them, are comparatively useless.

A suitable arrangement should be made for securing rooms, in which not only the Territorial library might be arranged more commodiously than at present, but also the books above referred to. It is some years since any appropriation was made by Congress for the increase of the library, and, I presume, your delegate to Congress, Colonel Hooper, could secure the passage of a bill for that purpose.

I have witnessed with pleasure the evidences of increasing interest in the subject of education. In this city and throughout the Territory, many large and spacious school houses have been built, and the sight of hundreds of children who daily attend them is very cheering. The past year has also witnessed the establishment by President Young of a college for the instruction of youths in the higher branches of education. But as yet you have no free or common schools; and I would again impress upon you the vital importance of appropriating a portion of the Territorial revenue to the establishment and maintenance of such schools. The future destiny of your children for weal or for woe depends on their moral and intellectual culture. The children of the rich and the poor are equally in need of it. Some system should therefore be adopted, which will enable every child to obtain these inestimable benefits. It is evident that persons who are competent to undertake the dignified and difficult task of education, should be recompensed with certainty and liberality.

I will again call your attention to the extent and number of herd

grounds. A temporary, but exclusive use of these grounds has been granted to a few individuals to the manifest injury of the community.

These grants ought to be repealed.

The Penitentiary still continues in the condition to which I alluded last year. Humanity and policy alike require that some plan should be adopted by which the prisoners may be furnished with regular and remunerative employment. This would not only be conducive to their health and general improvement, but also defray the cost of their maintenance.

I regret to be obliged to state, that the northern part of the Territory is infested by bands of cattle thieves, who commit depredations upon the ranges and dispose of their plunder in the vicinity of the military reserves. It is quite time that all good men should unite in bringing these desperadoes to justice. When the district courts commence their sessions they will probably take cognizance of these offences.

I herewith annex the annual reports of the Auditor and Treasurer, which you will please submit to the proper committee for their examination and report.

A. CUMMING.

—o—

AUDITOR'S REPORT.

TO HIS EXCELLENCY, GOV. A. CUMMING:

SIR:—I beg leave to present a concise report of the financial operations of the Territory for the year ending October 31st, 1860, a detail of which will be found exhibited in appended "Statements," Nos. 1, 2 and 3.

In statement No 1, the total valuation of property assessed in the Territory for the year 1860, (Green river and Carson counties excepted) amounts to four millions, six hundred and seventy three thousand, nine hundred dollars; and the Territorial tax thereon, at one half of one per cent, is twenty three thousand three hundred and sixty nine 0.50 dollars. The excess in the valuation of property over last year's assessment; is six hundred and fifty seven thousand four hundred and thirty one dollars, and the excess of Territorial tax, (arising principally from the advanced rate from one fourth to one half of one per cent.) is thirteen thousand two hundred and seventy eight 0.33 dollars. Of this excess in valuation of property, five-sixths of the amount is shown to arise in Great Salt Lake county, and probably may nearly, if not wholly, be accredited to the improvements within the limits of Great Salt Lake City, alone.

From this view, it would appear that there has not been, during the year 1860, much spirit for building and increasing the value of property by substantial improvements otherwise, except in this immediate district, unless (which may be the case) such improve-

ments have been added subsequent to the completion of the assessment rolls. The counties of Weber, Box Elder and Juab, each, show a decrease in the valuation of property, compared with assessment for 1859, of sixteen per cent, and Iron county a decrease of thirty-three per cent, while the counties of Beaver, Sanpete and Cache, show a more than corresponding increase in the following ratio; viz: Beaver, thirty-six; Sanpete, fifty, and Cache, nine hundred per cent. The increase in the three last named counties, especially "Cache," may account in some measure for the decrease in the other counties named, from the fact that during the fall of 1859 and the spring of 1860 very many wealthy families moved with their stock and effects, to form new settlements in Cache and Sanpete counties, and probably the same may be said of Beaver.

To the amount of Territorial tax, exhibited in Statement No. 1, for the year 1860, is to be added, a tax on imported merchandise, not yet reported, which will probably amount to twelve hundred dollars, more or less. I have no data to base an estimate upon, except a circumstantial comparison with previous years, but assuming the amount named, to be within or under the true sum, we would have for Territorial revenue for the current year, near as follows:

Amount of tax as per general assessment report	\$23,359 50
Merchandise tax to be reported, estimated	1200 00
Total	<u>\$24,569 50</u>

From which deduct

Per centage to assessors and collectors, average $7\frac{1}{2}$	
is - - - - -	\$1842 64
Remittances by County courts, estimated 2 is	491 36
	<u>2334 00</u>
	\$22,235 50

To this last total may be added

Amount yet unpaid on tax of 1859	\$1815 27
On delinquencies for 1857 and previous	781 00
Incidental receipts at the Treasury, viz:	
On accounts of fines, \$100. Brand books sold, \$13, is	<u>113 00</u>

Gives apparent nett revenue for the year 1860	<u>\$24,944 77</u>
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In Statement No. 2, (appended hereto) is exhibited the amount of Auditor's warrants issued during the year ending October 31st, 1860, and on what account issued, the total amount of which is nineteen thousand one hundred and eighty four 0.88 dollars. Perhaps it may be proper, and would facilitate an easy understand-

ing and comprehension of the Territorial expenditures, by exhibiting the contents of that statement in the following condensed form, viz:

Amount of Auditor's warrants issued for the year 1860;

On account of public Roads and Bridges	9,344 27
On account of Utah Penitentiary	4,911 88
On account of Arranging and Indexing Laws 1859	1,113 28
On account of Agricultural and Manufacturing Society	748 46
On account of Salaries of Territorial Officers	1,521 00
On account of Territorial Incidental expenses	362 13
On account of Military Appropriations	571 87
On account of Indian Wars	12 00
On account of Utah Library	600 00

\$191,84 88

There were Auditors Warrants in circulation and unredeemed, October 31, 1859 per former report

7,933 79

Total

27,118 67

There has been paid into the Treasurer and redeemed of the aforesaid warrants during the current year, as per Treasurer's report

On account of delinquent tax for 1856	9 00	
On account of delinquent tax for 1857	210 00	
On account of tax for the year 1859	7552 19	
On account of tax for the year 1860	2007 88	
Redeemed otherwise	2788 86	12,567 93

Leaves in circulation at this date

\$14,550 74

Now if we add to this last named sum, the sum named in Statement No. 3, of amounts payable on unexpended appropriations, to wit,

5,450 95

We have an apparent Territorial liability at this date of To meet which, we have, according to the foregoing exhibits, and the Treasurer's report as follows:

\$20,001 69

Balance remaining in the Treasury	1,663 56	
Uncollected tax for the year 1860	20,227 62	
Balance of tax due for the year 1859	1,815 27	
Delinquent tax for 1857 and previous	781 00	24,487 45

Apparent surplus \$4,485 76

The appropriation for Penitentiary purposes is already exhausted, and I suppose the Directors and Warden will have to depend mostly upon their own official resources for supplies, until the convening of the Legislative Assembly, when prompt relief will doubtless be afforded. According to the late Penitentiary law, no report is due to this office, consequently, I have no official means of ascertaining how the increased expenditures have originated; but doubtless it is in consequence of an increase of convicted criminals being confined in the Penitentiary.

I do not know that I can add any thing that will make this report more plain or acceptable, and it is therefore most respectfully submitted by

Your obedient servant,
WILLIAM CLAYTON,
 Auditor of Public Accounts
 for Utah Territory.

Great Salt Lake City, November 3, 1860.

STATEMENT No. 1,

Of the Value of Property assessed in the Territory, as reported by the County Collectors, together with Amount of Territorial Tax at one-half of one per cent..

County:	Value of Property.	Amount of Tax.
Great Salt Lake - - - - -	\$2,176,684 00	\$10,883 42
Utah - - - - -	670,096 00	3,350 48
Davis - - - - -	444,920 00	2,224 60
Sanpete - - - - -	309,732 00	1,548 66
Weber - - - - -	254,224 00	1,271 12
Tooele - - - - -	150,506 00	752 53
Box Elder - - - - -	143,052 00	715 26
Cache - - - - -	129,476 00	647 38
Iron - - - - -	100,236 00	501 18
Juab - - - - -	91,182 00	455 91
Millard - - - - -	84,640 00	423 20
Beaver - - - - -	60,834 00	304 17
Washington - - - - -	58,318 00	291 59
Green River - not heard from		
Carson - not heard from		

\$4,673,900 00 \$23,369 50

STATEMENT No. 2.*Of Auditor's Warrants issued from Nov. 1, 1859 to Oct. 31, 1860:***On General Appropriation Bill of January 20, 1860:** \$ \$**To Special Committee to Arrange and Index Laws:**

George A. Smith, for services - - - 237 00

Hosea Stout, for services - - - 279 00

Seth M. Blair, for services - - - 159 00

E. W. East, for clerk hire, stationery, &c. - - - \$364 25

Less included in previous report - - - 207 00

157 25

G. A. Smith, for rent, lights and stationery - - - - - 218 95

1051 20**On Penitentiary Account:**

Millen Attwood, for services as guard - - - \$105 00

Samuel F. Attwood, for services as guard - - - 105 00

R. T. Burton, sheriff, balance due Branch and Attwood 151 88

361 88

Daniel Carn, for this sum omitted in settlement with him in 1858 - - - 6 00

Daniel Carn, for advances made by him for supplies, etc., from Nov. 1, 1859, to Mar. 2, 1860 - - - 405 85

A. McRae, warden, for supplies 788 51

do for guard service 1685 00

do for his relief 262 35

do to defray expense of prisoners - - - 152 29

A. McRae, for apprehension of Green and Clark - - - 50 00

3350 00 3711 88**On Library Account:**

Wm. C. Staines, for services 1857, 1858, and 1859 - - - - -

W. C. Staines for binding books, &c. - - - - -

450 00

150 00

600 00

On Account of Roads and Bridges:

Thomas W. Smith, for improving road on Ash creek, in Washington county	225 00
Snow & Love, for road in Salt Creek kanyon	500 00
B. Young & F. Little, first annual appropriation on account of road in Provo kanyon	3166 27

3891 27

On Account of Agricultural and Manufacturing Society:

J. C. Little, treasurer, on his orders to sundry persons	500 00
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On Sundry Incidental Accounts:

Geo. W. Bean, for overpaid treasurer in 1854	34 63
Hockaday & Burr, for expenses in execution of Ferguson	31 00
J. C. Little for same	16 00
A. P. Rockwood for same	8 00
John Kay, marshal, for services and team, May, 1859	56 00
John Sharp, deputy marshal, for services, May, 1859	21 00
Arthur Stayner, for four days' services	12 00
Patrick Lynch, for three day's services, session, 1858-9	9 00
Thomas Bullock, for eight days services, session, 1858-9	24 00
Elias Smith, for printing blanks for school purposes	30 00
Wm. Clayton, for stationery for auditor's office	\$15 25
Less paid as per previous report	4 75
	10 50
W. Clayton, for letter book on \$30 appropriation	2 00
T. D. Brown, for services as road commissioner, 1858-9	25 00

279 13

On Account of Especial Appropriations, Session 1859-60.

In part for building bridge across Weber river

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1503 00

In full, for building bridge across Jordan river	1500 00	
In full, for making road to Weber valley	2000 00	5003 00
On Account unexpended Appropriations.		
Daniel Carn, late Warden, balance for former report	871.27	
Daniel Carn, late Warden, additional balance found due him on final settlement, March 2d, 1860.	328.73	1200 00
Hosea Stout, balance due on services 1858.		62 08
Edw'd Hunter, amount due for rent, wood and lights		23 00
H. B. Clawson, arrears of salary as Treasurer	200 00	
Chas. Price, for repairs on Sevier bridge	200 00	
Smith & Pollock, for improving Harmony road, Washington county	250 00	
J. C. Little, Treasurer for D. A. and M. Society	248 45	
Adjutant Gen. on Military appropriations	571 87	
Sundries on account of Indian wars	12 00	
Asa Calkin, on arrears of salary as Auditor	100 00	
		<hr/> 2867 40
On Stated Salary Account:		
D. O. Calder, treasurer, balance due for year 1859	\$50 00	
On account for year 1860	150 00	
		<hr/> 200 00
Wm. Clayton, auditor, balance due for year 1859	45 00	
On account for year 1860	166 00	
		<hr/> 211 00
W. W. Phelps, superintendent, balance due for year 1859	50 00	
On account for year 1860	165 00	
		<hr/> 215 00
James Ferguson, adjutant genl. in full for year 1859	300 00	
On account for year 1860	195 00	
		<hr/> 495 00
S. M. Blair, attorney general, in full for years 1859 and 1860	100 00	
		<hr/> 1221 00

**On Account of Incidental Expenses,
for which no appropriation has
yet been made:**

John Kay, marshal, for traveling ex- penses, May, 1859	30 00	
John Sharp, dep. marshal, for same	30 00	
		60 00
Total Auditor's warrants issued	- -	\$19,184 88

STATEMENT, No. 3.

Of Amounts payable on Appropriations heretofore made:

For building bridge across Weber river	1497 00
Books for Auditor's office	28 00
Territorial incidental expenses	150 00
Relief of Great Salt Lake county	1000 00
Deseret Agricultural and Manufacturing Society	942 57
Military account	1633 88
Sanpete coal road appropriation, January 17, 1856	100 00
Asa Calkin arrears of salary as Auditor, 1855	100 00
Total,	5450 95

TREASURER'S REPORT.

TREASURER'S OFFICE,
Great Salt Lake City, Nov. 1st, 1860. }

TO HIS EXCELLENCY ALFRED CUMMING,
GOVERNOR OF UTAH TERRITORY:

SIR:—In pursuance of law, I have the honor of laying before you the following report of the Receipts and Disbursements of the Treasury for the fiscal year ending October 31st, 1860.

Balance in the treasury on the 1st November, 1859, as per Treasurer's last annual report:—

Wheat	\$2,961 06
Bills Receivable	858 18
Deseret Currency bills	327 00
Cash	193 18
	\$4,339 42

Total amount of Receipts from November 1st, 1859, to October 31st, 1860	9,892 07
	<u>\$1,4231 49</u>
Total amount of Disbursements from Nov. 1st, 1859, to October 31st, 1860	12,567 93
	<u>\$1,663 56</u>
Balance in the treasury on Oct. 31st, 1860	
As follows:—	
Bills Receivable - - - -	\$855 18
Wheat - - - -	808 30
Cash - - - -	08
	<u>\$1,663 56</u>

SUMMARY

Of Receipts and Disbursements for the fiscal year ending October 31st, 1860.

RECEIPTS.

Amounts received from the Assessors and Collectors of the following counties for taxes due in the years designated.

Counties.	1856	1857	1859	1860	Total.
Davis			747.61		747.61
Weber		200.	300.		500.00
Cache			140.		140.00
Tooele			118.75		118.75
Cedar			67.		67.
Juab			241.03	250.	491.03
Great Salt Lake			4406.87	1112.	5518.87
Millard	9.00	10.	93.35	60.50	172.85
Iron			204.88		204.88
Washington			102.75	70.	172.75
Beaver			40.		40.
Box Elder			223.95		223.95
Utah			866.	515.38	1381.38
Total for taxes due, 1856,	\$9.00				
" 1857, . . .		\$210.00			
" 1859, . . .			\$7552.19		
" 1860, . . .				\$3007.88	
Grand total received from Assessors and Collectors,					\$9779.07

Amount received from Thomas Colborn, by hand of P. K. Dotson, U. S. Marshal, on fine account	100 00
Amount received from Auditor of Public Accounts on account of Brand books sold	13 00
	<hr/>
Total Receipts	\$9892 07
Of which \$8497 81 was received in Auditor's Warrants	
" 1235 26 - - Cash	
" 159 00 - - Deseret Currency bills	
	<hr/>
\$9892 07	
Balance in the treasury on November 1st, 1859	\$4339 42
	<hr/>
	\$14,231 49

DISBURSEMENTS.

Auditor's Warrants redeemed at the treasury with wheat	\$2155 76
Deseret Currency bills	486 00
Cash	1428 36
Taken on taxes, etc.	9497 93
	<hr/>
Total Disbursements	\$12,567 93
	<hr/>
Balance in the treasury at this date as before stated	\$1663 56

Your most ob't. Servant,

DAVID O. CALDER,
Territorial Treasurer.

On motion of Councilor Geo. A. Smith, it was ordered that two hundred copies of the Governor's Message, and accompanying documents, be printed for the use of the Assembly.

On motion of Councilor Harrington, Elias Smith was elected public printer for the present session of the Legislature.

Mr. Woolley moved that one hundred copies of the minutes of the joint sessions of the present Assembly be printed for the use of the members. After discussion,

Mr. Woolley, upon leave, withdrew his motion.

On motion of Councilor Carrington, Mr. Woolley was appointed a committee to wait upon the Hon. Secretary of the Territory, and ascertain if he will, as disbursing officer for the Government, pay

for the printing of the minutes of the Assembly, and to report to the Council and House of Representatives.

Journal read and accepted.

On motion of Councilor Ferguson, joint session dissolved.

—o—

HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Tuesday, Dec. 11, 1860, 11 a.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Benson, member from Cache county, arrived, presented his credentials and was sworn by the Speaker.

Mr. James gave notice, that he would on to-morrow, or some subsequent day, introduce "a bill for an Act authorizing the County court of Carson county to levy a special tax, to be appropriated for the erection of a County Jail in said county."

A message was received from the Council, notifying the House that they were prepared to meet in joint session in the Representatives' Hall, and were awaiting the concurrence of the House.

Whereupon the Speaker notified the Council that the House was in readiness to meet the Council in joint session.

[See Joint Session Minutes.]

On Council retiring the House resumed its session.

On motion of Mr. Rockwood, the rules of the former House were adopted.

The Speaker appointed the following

Standing Committees of the House:

On Judiciary—Hosea Stout, Isaac Bullock, C. W. West.

On Claims and Appropriations—H. B. Clawson, E. D. Woolley, A. P. Rockwood.

On Petitions and Memorials—C. W. Wandell, J. V. Long, A. K. Thurber.

On Revenue—C. W. West, Hosea Stout, John M. Moody, Evan M. Greene.

On Elections—Ezra T. Benson, Silas S. Smith, W. F. Anderson.

On Counties—Silas S. Smith, J. C. James, Horton D. Haight.

On Roads, Bridges, Ferries and Kanyons—James McGaw, Horton D. Haight, Wm. P. Nebeker.

On Education—C. W. Wandell, Evan M. Greene, Rosel Hyde, Isaac Bullock.

On Engraving—J. V. Long, J. C. James, C. W. Wandell, Rosel Hyde.

On Printing—A. K. Thurber, John M. Moody, James McGaw.

On Agriculture, Trade and Manufactures—E. D. Woolley, E. T. Benson, Wm. Crosby, Geo. Peacock.

On Militia—A. P. Rockwood, Geo. Peacock, Hiram B. Clawson, Jacob G. Bigler.

On Incorporations—J. C. James, Jacob G. Bigler, L. H. Hatch.

On Library—Geo. Peacock, D. Thompson, L. H. Hatch, W. P. Nebeker.

On Public Domain and School Lands—C. W. West, A. K. Thurber, Wm. Crosby.

On Penitentiary—A. P. Rockwood, E. D. Woolley, W. F. Anderson.

On motion of Mr. Rockwood, fifty copies of the names and residences of the members and officers of the House and standing committees, were ordered to be printed in pamphlet form, for the use of the Assembly.

The minutes were called for, read and accepted.

The House adjourned till to-morrow, at eleven a.m.

WEDNESDAY, DECEMBER 12, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
 Wednesday, Dec. 12, 1860, 11 a.m. }

The Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Journal of the 11th inst. read and accepted.

The President of the Council referred the subjects contained in the Governor's message to the appropriate committees, as follows:

That portion of the Governor's message relating to the revision of the laws of the Territory; assigning the Judges of the Supreme Court to their respective districts, and such matters as allude to those courts and the Probate courts; and that portion in relation to legislative action for the benefit of the mining districts in Carson county, to the committee on judiciary.

That portion relating to Indian tribes, memorializing the government for the appointment of commissioners to treat with them; in

regard to the Indian farms; feeding the Indians, and all in relation to those subjects. to the committee on petitions and memorials.

That portion relating to the establishment of land offices, restrictions of land claims and equitable distribution of water and timber, to the committee on public domain and school lands.

That portion relating to non-payment of taxes upon merchandise sold at Camp Floyd, to the committee on revenue.

So much as relates to this Territory not having received its quota of public arms, to the committee on militia.

That portion relating to the Utah library, making a more suitable arrangement for public documents and valuable miscellanies; and memorializing Congress for an appropriation to increase the library, was referred to the committee on library.

That portion pertaining to free or common schools, the instruction of children and compensation of teachers, to the committee on education.

So much as relates to the repeal of grants of herd grounds, to the committee on incorporations.

And that relating to the penitentiary, and employment of convicts, to the committee on penitentiary.

Councilor Geo. A. Smith presented memorial to Congress for the establishment of a semi-weekly mail from Fillmore to Los Angeles, California, which was read, and,

On motion of Councilor Ferguson, the memorial was adopted and sent to the House for its concurrence.

Councilor Hardy moved that, the House concurring, the committees on printing of the two Houses wait upon the Honorable the Secretary of the Territory, and request him, in the name of the Assembly, to furnish each member and officer of the Assembly with a copy of the current volumes of the weekly papers published in the Territory; also that he furnish the Territorial libraries, with full files of said papers. Seconded and carried.

Councilor Harrington presented (G. F. No. 1.) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts."

On motion of Councilor Ferguson, the bill was read the first time.

On motion of Councilor Farr, the bill passed its second reading.

On motion of Councilor Carrington, the bill was read the third time by its title and so passed, and ordered to be sent to the House for its concurrence.

On motion of Councilor Ferguson, the committee on printing were instructed to wait upon the Hon. Secretary of the Territory, and ascertain if he, as disbursing officer of the government, will pay for printing the daily minutes of the Council for the use of the Assembly.

Journal of the day read and approved.

On motion of Councilor Ferguson, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Wednesday, Dec. 12, 1860, 11 a. m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Stout moved, that the committee on elections be instructed to report the number and kind of offices to be filled by the joint vote of this Legislative Assembly, and report thereon at an early day. Seconded and carried.

Mr. Greene moved, that the committee on printing be instructed to inquire, and find out if the requisite number of the laws and journals as ordered by the Legislature at its last annual session was printed; if so, why they were not distributed in accordance with the Resolution approved Jan. 20, 1860. Seconded and carried.

Mr. Long moved, that the courtesy of the House and the freedom of the Bar, be extended to Prests. Brigham Young and Heber C. Kimball, and to Bishop Edward Hunter. Seconded and carried.

Mr. Greene moved, that the Sergeant-at-arms be instructed to ascertain if the Secretary of the Territory has copies of the laws of Utah to furnish the members of the Legislature; if so, how soon the House will receive theirs. Seconded and carried.

Mr. Wandell moved, that the courtesy of the House be extended to his Excellency, Gov. Cumming, the Honorable Secretary, F. H. Wootton, the Honorable Surveyor General, S. C. Stambaugh, Hon. J. M. Bernhisel, and their Honors, Judges J. F. Kinney and H. R. Crosby, of the Supreme court, his Honor, Elias Smith, Probate Judge of G. S. L. County, and his Honor A. O. Smoot, Mayor of G. S. L. City. Seconded and carried.

Mr. Rockwood moved, that the committee on roads, bridges and kanyons be instructed to inquire if there is a military road laid out through Provo kanyon, and report at their earliest convenience. Seconded and carried.

Mr. James gave notice, that he would on to-morrow, or some subsequent day of the session, introduce a bill for an act to find the

outstanding indebtedness of Carson county, prior to the first day of August, A. D. 1860.

Mr. Greene moved, that the committee on library be instructed to notify the Librarian that it is the desire of the members of the House of Representatives to have the Library open each day of the session, from nine o'clock a. m., to four p. m. Seconded and carried.

The committee on printing reported, that they had conferred with the Hon. Secretary, Mr. Wootton, and learned that a portion of the laws of last session had been distributed, but that the full amount ordered to be printed had not come to hand, and that they had also visited the public printer of last session, Mr. Davis, and found a large amount of the laws of last session remaining in the printing office, which he proposed to forward immediately to the Secretary's office.

On motion of Mr. Bullock, the report was accepted.

Mr. James moved, that the committee on library be requested to inquire into and report upon the present condition of the Territorial Library. Seconded and carried.

The minutes were read and accepted.

House adjourned till to-morrow at eleven a.m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 13, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Thursday, Dec. 13, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from the House:

“ The House of Representatives has concurred in your Memorial to Congress for the establishment of a semi-weekly mail from Fillmore to Los Angeles, California, which is herewith respectfully returned.

JOHN TAYLOR, Speaker.”

Councilor Farr, in behalf of the committee on printing, presented

a communication from the Hon. F. H. Wootton, Secretary of the Territory, as follows:

SECRETARY'S OFFICE,
G. S. L. City, Dec. 13, 1860. }

HON. D. H. WELL, PRESIDENT OF THE COUNCIL:

SIR:—The Hon. Lorin Farr having called upon me as a committee of your honorable body, to inquire if I would pay for printing the minutes of each days proceedings of the Legislative Assembly, to be laid before the members, and if so, for how many copies?

I respectfully submit the following in reply:

I do not find in my instructions any authority to warrant such expenditure. In the matter of public printing, I am limited in my disbursements by specific instructions, which cannot be disregarded, and which leave me wholly without any discretion.

So far as I can understand, there has been no authorized precedent for such publication, and I fear that if the printer should perform the work in question, he would encounter serious difficulty in getting his bill allowed.

At the present rates of remuneration for public printing, fixed by the Comptroller, which are evidently based upon eastern calculations, without reference to Utah prices, the Public Printer is, in my judgment, hardly remunerated for his outlay and labor; I therefore, hope that the Legislature will be cautious not to increase his difficulties by authorizing and directing him to execute work for which it is not positively certain that he will be paid. So far as I am concerned, I am without any authority in the premises, but am required to refer every bill for printing to the auditing office in Washington for their decision.

In a communication, dated May 24th, 1854, addressed by the Comptroller of the Treasury, to Hon. A. W. Babbit, I find authority given to the Secretary to "allow to the members during the session, one copy each, of the paper that published their proceedings." If the Legislature should designate which of the two newspapers of this city they prefer, and that paper will publish the proceedings, I shall be happy to comply with the above instruction.

I am, Sir, very respectfully,

Your Obedient Servant,

FRANCIS H. WOOTTON,

Secretary of the Territory.

The following message was received from the House:

"The inclosed Memorial to Congress, for the establishment of a weekly mail from Provo to Weber, by way of the Provo and Weber

rivers, has been adopted by the House of Representatives, and is now sent to your honorable body for its concurrence.

Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Farr, the Memorial to Congress for the establishment of a weekly mail from Provo to Weber received from the House, was read, and,

On motion of Councilor Farr, the Memorial was concurred in.

Councilor Hardy moved, that the Hon. the Secretary of the Territory be informed, in answer to his communication of this morning, that the 'Mountaineer' published in this city, being prepared to print therein the proceedings of the Legislative Assembly, is the paper by them selected to be furnished by him to the Assembly.

The motion was sustained and sent to the House for its concurrence.

Journal of the day read and approved.

On motion of Councilor Woodruff, Council adjourned till tomorrow at 1 p.m.

HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Thursday, Dec. 13, 1860, 11 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council and read, inclosing Council motion,

"That the House concurring, the committees on printing of the two Houses wait upon the Honorable, the Secretary of the Territory, and request him, in the name of the Assembly, to furnish each member and officer of the Assembly with a copy of the current volumes of the Weekly papers published in the Territory; also, that he furnish the Territorial libraries with full files of said papers."

On motion of Mr. Stout, the House concurred.

The Speaker referred the several portions of the Governor's message to their appropriate committees.

A message was received from the Council and read, inclosing (C. F. No. 1) "An Act assigning the Chief Justice and the two

Associate Justices to the several Judicial Districts:" which was taken up and read, and,

On motion of Mr. Rockwood, was referred to the committee on judiciary.

A message was read from the Council, enclosing "Memorial to Congress for the establishment of a semi-weekly mail from Fillmore to Los Angeles, California;" which was read, and,

On motion of Mr. Greene, was referred to the committee on memorials.

Mr. Thurber moved, that the committee on education be instructed to obtain, from the Territorial Superintendent of common schools, a report of the situation of common schools in this Territory; and report to this House at an early day. Seconded and carried.

Mr. Bullock presented, "Memorial to Congress for the establishment of a weekly mail from Provo to Ogden via the chain of settlements along the Provo and Weber rivers:" which was read, and,

On motion of Mr. Benson, referred to the committee on memorials.

The committee on library reported, that the Territorial Library would be open from nine a.m. to four p.m. each day of the present session.

On motion of Mr. Benson, the report was accepted.

Mr. Wandell, in behalf the committee on memorials, reported back memorial to Congress for the establishment of a semi-weekly mail from Fillmore to Los Angeles, California, which was read, and,

On motion of Mr. Benson, the House concurred in the adoption of the memorial, and the Council was notified thereof.

Mr. Wandell reported favorably upon memorial to Congress for the establishment of a weekly mail from Provo to Ogden, via the chain of settlements along the Provo and Weber rivers, which was read, and,

On motion of Mr. Greene, adopted, and sent to the Council for their concurrence.

Mr. Rockwood moved, that the committee on revenue be instructed to confer with the auditor of public accounts, in relation to the fiscal affairs of the Territory, also compare the drafts with the appropriations and report at an early day. Seconded and carried.

Mr. West moved, that the judges of the Supreme Court be requested to report to this Legislative Assembly all omissions, discrepancies, or other evident imperfections in the laws, which have fallen under their observation, in conformity with the fourth section of an act in relation to the judiciary, approved Feb. 4, 1852. Seconded and carried.

Mr. Rockwood moved, that the public printer be instructed to

print fifty copies of the minutes of this House daily, for the benefit of the two Houses of the Assembly. Seconded and carried.

A message was received from the Council and read, announcing their concurrence in memorial to Congress for the establishment of a weekly mail from Provo to Ogden, *via* the chain of settlements along the Provo and Weber rivers.

The minutes were called for, read and accepted.

On motion of Mr. Woolley, House adjourned until to-morrow, at one p.m.

Benediction by the Chaplain.

FRIDAY, DECEMBER 14, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. CITY,
Friday, Dec. 14, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication was read from the Hon. J. M. Bernhisel, tendering his acknowledgments to the Council for the freedom of the Council Chamber during the present session.

Councilor Geo. A. Smith presented, "Memorial to Congress for the establishment of daily mail service from Omaha, Nebraska Territory, *via* Great Salt Lake City, Utah Territory, to Sacramento, California," which was read, and,

On motion of Councilor Farr, the memorial was adopted, and ordered to be sent to the House for its concurrence.

On motion of Councilor Carrington, the committee on elections were instructed to confer with the like Committee of the House, and report at as early a day as practicable, a list of the offices to be filled by joint vote of both houses of the Legislative Assembly.

On motion of Councilor Carrington, the public printer was requested to print fifty copies of the daily minutes of the Council, for the use of the two houses of the Legislative Assembly.

The following message was received from the House:—

DEC. 18, 1860.

"The House of Representatives has concurred in your motion

for the committees on printing of the two Houses to wait upon his Honor, Secretary Wootton, and request him to furnish the weekly papers to the members and officers of both Houses.

Very Respectfully

THOMAS BULLOCK, Chief Clerk.

Councilor Carrington moved, that the House concurring, the public printer be requested to print fifty copies of the minutes of the joint sessions, for the use of the Legislative Assembly.

The motion was carried, and sent to the House for concurrence.

Councilor Carrington moved, that the House concurring, Councilor Geo. A. Smith be appointed a special committee to revise and compile the laws and memorials enacted and adopted by previous Legislative Assemblies, with authority to omit in whole or in part as the case may be, such laws as are repealed or obsolete, and to insert the pertinent portions of amendatory laws in the proper places in the laws to which they are amendatory, with authority, also, to consult, at his pleasure, the members of the judiciary committees of the two Houses; and to present said revision and compilation or portions thereof to the Council of the Legislative Assembly at as early a day as practicable, the whole to be presented, as aforesaid, as soon as possible.

The motion was carried and ordered to be sent to the House for its concurrence.

Journal read and approved.

On motion of Councilor Snow, the Council adjourned till Monday at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Friday, Dec. 14, 1860, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented a petition, signed by forty three inhabitants of Provo valley, for an act to incorporate Heber city, in Provo valley, which was referred to the committee on incorporations.

Mr. Greene presented a memorial to the Postmaster General for

mail service in Tooele and Shampip counties, which was referred to the committee on memorials.

Mr. Smith presented a memorial to Congress praying for a railroad across the continent by the central route; which was referred to the committee on memorials.

A message was received from the Council and read, enclosing memorial to Congress for the establishment of daily mail service from Omaha, Nebraska territory, *via* Great Salt Lake City, Utah Territory, to Sacramento, California.

On motion of Mr. Bullock, the memorial was laid on the table to come up in its order.

A message was received and read from the Council, enclosing letter from his Honor, Secretary Wootton, informing the Council that in conformity with instructions from the Comptroller, he would "allow to the members during the session, one copy each of the paper that publishes their proceedings," and requesting the Legislature to designate which of the two newspapers of this city they prefer.

With the message also was enclosed Council motion, "That the House concurring, the Honorable Secretary of the Territory be informed, in answer to his communication of this morning, that the *Mountaineer* newspaper, published in this city, being prepared to print therein the proceedings of the Legislative Assembly, is the paper by them selected, to be by him furnished the Assembly."

On motion of Mr. Rockwood, the House concurred in the adoption of said council motion.

Mr. Greene presented, a resolution repealing an ordinance in relation to the timber in the kanyons and mountains leading into Tooele valley, and the kanyons between Salt Lake Valley and Tooele, which,

On motion of Mr. Rockwood, was referred to the committee on roads, bridges, ferries and kanyons.

Mr. Rockwood, chairman of the committee on penitentiary, to whom was referred the fifth paragraph of the Governor's message, reported, that there is no law in the statutes authorizing any officer to draw on the Territorial Treasury for expense accruing by the commitment of convicts to the Penitentiary; and that consequently no change is necessary in the penal code on that subject.

On motion of Mr. Woolley, the report was accepted.

Mr. Stout, in behalf of the committee on judiciary, presented the following majority report:

"We of the committee on judiciary to whom was referred (C. F. No. 1) "An Act assigning the Chief Justice and the two Associate Justices to the several Judicial Districts;" beg leave to report that they have duly considered the subject, and

recommend that the bill be so amended as to assign the Hon. R. P. Flenniken to the First District and the Hon. H. R. Crosby to the Second District, which is most respectfully submitted.

ISAAC BULLOCK,
CHAUNCEY W. WEST.
of Com. on Judiciary."

Mr. Stout, presented, the following minority report:

"The undersigned, a member of the committee on judiciary, not concurring in the report of the majority of said committee, beg leave to report that, after duly considering the subject of the act referred to them, assigning the judges to their several districts, can see no good reason for changing the provisions of the act as passed by the Council, and would therefor most respectfully recommend its passage without amendment.

HOSEA STOUT,
of Com. on Judiciary."

Mr. Woolley motioned, that both the reports of the committee be accepted; and that said bill be referred to a special committee, which was seconded by Mr. Rockwood and carried. Messrs. Benson, Bigler and Woolley were appointed said special committee.

A message was received from Council and read, enclosing the following motion: That the public printer be requested to print fifty copies of the minutes of the joint sessions, for the use of the Legislative Assembly, which was concurred in by the House.

The committee on military, to whom was referred the 27th paragraph of the Governor's message, reported that the arms referred to in said paragraph are very much needed in this Territory, but upon careful examination into the expence of transportation of the arms due the Territory from the United States, they find it would cost the Territory about \$10,000; and having conferred with the chief of ordnance of the Nauvoo Legion and merchants of this city, conclude that the \$10,000 expended in purchasing arms and munitions of war within the Territory would be better policy than to expend that amount in transporting from the Missouri river, or any other navigable waters, the amount of arms due from the United States, and therefore deem further legislation on that subject unnecessary.

On motion of Mr. West, the report was accepted, and the committee discharged from further duties upon that subject.

The "memorial to Congress for the establishment of daily mail service from Omaha, Nebraska territory, via Great Salt Lake City, Utah Territory, to Sacramento," California, was taken up and read, and,

On motion of Mr. Benson, the House concurred in its adoption.

Mr. Stout moved, that the committee on Penitentiary be instructed to inquire into the expediency of changing the present system of the Penitentiary, so that the keeping thereof may be let to the lowest responsible bidder, and report at an early day. Seconded and carried.

Mr. McGaw, chairman of committee to whom was referred the subject of a military road up Provo kanyon, reported that the route was examined by Capt. Simpson, Topographical Engineer, U. S. A., and by him favorably recommended for a military road, but that they had not been able to learn of any Congressional action relative thereto, but were of the opinion that Congress had not acted favorably, because Government had not refused to pay toll on said road as yet.

On motion of Mr. Bullock, said report was accepted, and the committee was discharged from further duties pertaining thereto.

A message was received from the Council and read, enclosing: motion, "That the House concurring, that Councilor Geo. A. Smith be appointed a special committee to revise and compile the laws and memorials enacted and adopted by previous Legislative Assemblies, with authority to omit, in whole or in part, as the case may be, such laws as are repealed or obsolete and to insert the pertinent portions of amendatory laws in the proper places in the laws to which they are amendatory; with authority, also, to consult at his pleasure, the members of the judiciary committees of the two Houses, and to present said revision and compilation or portions thereof to the Council of the Legislative Assembly, at as early a day as practicable, the whole to be presented as afore-named as soon as possible," which was read and,

On motion of Mr. Moody, the House concurred in said motion.

The minutes were called for, read and accepted.

On motion of Mr. Woolley, the House adjourned till to-morrow at 10 a. m.

Benediction by the Chaplain.

SATURDAY, DECEMBER 15, 1860.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Saturday, Dec. 15, 1860, 10 a.m. }

House met pursuant to adjournment.
Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. James presented (H. F. No. 5) "Memorial to Congress and joint resolution concerning the 'Pony Express,' and for a reasonable appropriation to defray the expense of said Pony Express," which,

On motion of Mr. Bullock, was referred to the committee on memorials.

Mr. Rockwood moved, the Council concurring, "that the Hon. Geo. A. Smith, as special committee, to revise and compile the laws and memorials, &c., be authorised to employ a sufficient number of clerks to assist him in his labors therein." Seconded and carried.

Mr. Thompson presented (H. F. No. 6) "Resolution to publish five hundred copies of journals of the present session, in pamphlet form," which was adopted, and sent to the Council for concurrence.

Mr. Wandell, committee on memorials, reported back (H. F. No. 3) "Memorial to Congress for a railroad from the Missouri river to California on the central route," with recommendations for its adoption.

On motion of Mr. Greene, the memorial was adopted and sent to the Council for concurrence.

Mr. Wandell, chairman of committee on memorials, reported (H. F. No. 2) "Memorial to Congress for mail service in Tooele and Shambip counties," with amendments thereon, and recommendation for its passage.

On motion of Mr. West, the report was accepted as amended and sent to the Council for concurrence.

Mr. Wandell gave notice that, on Monday, he would introduce a bill amending the first section of an act relating to common schools.

Mr. Greene moved that the committee on memorials be instructed to inquire into the expediency of, and if consistent, report a memorial to Congress, praying that the value of the quota of public arms that are due to the Territory of Utah, as per Governor's message, be appropriated for the purpose of manufacturing such arms as shall be proper and serviceable for military uses in this Territory, within the limits of said Territory. Seconded and carried.

Mr. Rockwood moved, that the committee on revenue be instructed to make suitable inquiries for the report of the County court of Utah county, in relation to the road in Provo canyon, as contemplated in sec. 2 of an act repealing the charter of certain road companies, approved Jan. 20, 1860, and in the event said re-

port is not at hand, said committee are authorized and instructed to send for persons and papers, and investigate all matters pertaining to said road. Seconded and carried.

On motion of Mr. Stout, Mr. Rockwood was added to said committee.

The minutes were called for, read and accepted.

House adjourned till Monday at 10 a.m.

Benediction by the Chaplain.



MONDAY, DECEMBER 17, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Monday, Dec. 17, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

DECEMBER 15, 1860.

"Your Memorial to Congress for the establishment of daily mail service from Omaha, Nebraska Territory, *via* G. S. L. City, U. T., to Sacramento, California, has been concurred in by the House and is herewith returned.

The House has also concurred in the appointment of Councilor George A. Smith to revise and compile the laws and memorials adopted by previous Legislative Assemblies.

Respectfully, etc.

JOHN TAYLOR, Speaker."

The following message was also received from the House:

"The inclosed Memorial to Congress for mail service in Tooele and Shambip counties," and,

'Memorial to Congress for a railroad from the Missouri river to California on the central route,' have been adopted by the House, and are now sent to your Honorable body for concurrence.

"The House has also adopted the inclosed 'Resolution to publish the Journals' and motion of Mr. Rockwood to employ clerks to compile the Laws and Memorials.

They are respectfully submitted for the concurrence of the Council.

JOHN TAYLOR, Speaker."

The "Memorial to Congress for mail service in Tooele and Shamp counties" as adopted by the House, was read, and,

On motion of Councilor Woodruff, the Memorial was concurred in.

The 'Memorial to Congress for a railroad from the Missouri river to California, on the central route' as received from the House, was read and,

On motion of Councilor Harrington, was referred to the committee on memorials for their consideration.

The House motion authorizing the special committee,—Councilor George A. Smith, to employ sufficient clerks to assist him to compile the Laws and Memorials, was read, and,

On motion of Councilor Hardy, the motion was concurred in.

The 'Resolution to publish the Journals' as adopted by the House was read.

On motion of Councilor Hardy, the Resolution was concurred in.

Councilor Ray presented 'A Resolution for the relief of delinquent tax-payers of Millard, Beaver, Iron and Washington counties.'

The Resolution was read.

On motion of Councilor George A. Smith, the Resolution was referred to the committee on revenue.

Journal of the day read and approved.

On motion of Councilor George A. Smith, the Council adjourned till to-morrow, at 1 p.m.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Monday, Dec. 17, 1860, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report, from the Directors of the Utah Penitentiary, was received, read, referred to the committee on penitentiary, and ordered to be printed with the minutes.

DIRECTORS' OFFICE, Dec. 14, 1860.

HON. JOHN TAYLOR, SPEAKER, AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:

In compliance with an act of the Legislative Assembly of the

Territory of Utah, passed Jan. 20th, 1860, inclosed you will find a brief report of the condition of the Utah Penitentiary. The number of convicts; their condition; when, for what, and how long sentenced; specifying how many Territorial; the fiscal affairs; also the avails arising from the labor of convicts, and an approximate estimate of the means necessary to defray expenses for the ensuing year.

We have the honor to be, very respectfully, your obedient servants,

FERAMORZ LITTLE,
FREDERICK KESLER,
E. R. YOUNG,

} Directors of the Utah
Penitentiary.

DIRECTORS' OFFICE, Dec. 14th, 1860.

MR. SPEAKER, AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:

The buildings pertaining to the Utah Penitentiary are in about the same condition as when we entered upon our official duties as directors of the same. There have been some slight improvements made for the immediate convenience of the prisoners. That portion of the prisoners' house over the cells, not blown down by the heavy winds, Dec. 2d, 1858, but considerably damaged, has been repaired.

There were five convicts in the Utah Penitentiary, Jan. 20th, 1860, viz., David McKenzie, sentenced Aug. 30th, 1859, to two years' hard labor for forgery; Theodore Thorpe, sentenced on the 6th day of Aug., 1859, to hard labor in the Utah Penitentiary for ten years for the crime of burglary; Yodes, an Indian boy, sentenced Sept. 17th, 1859, to hard labor one year for the crime of larceny; Thomas Colbourn, sentenced Sept. 19th, 1859, to hard labor for manslaughter; and Moses Clarke, sentenced Sept. 17th, 1859, to three years' hard labor for larceny.

From Jan. 20th, 1860, to Dec. 10th, 1860, there have been 19 prisoners received into the Penitentiary: namely, Martin Wheeler, sentenced March 11th, 1860, to four months hard labor, for larceny; Clarke A. Huntington, sentenced March 19th, 1860, to one year's hard labor for larceny; Moroni Clawson, sentenced March 20th, 1860, to one year and six months' hard labor for larceny.

Truelove Manhard, sentenced March 21st, 1860, to six months' hard labor for larceny; William Wesley Wheeler, sentenced March 28th, 1860, to one year and six months' hard labor for larceny; John B. Barnum, sentenced March 21st, 1860, to two years' hard labor for larceny; William Bratton *alias* Hiram Meecham, sentenced April 12th, 1860, to six months, for larceny;

Charles Manhard, sentenced April 20th, 1860, to three years and six months' hard labor, for larceny; Charles Jarvis, sentenced April 18th, 1860, to four months' hard labor, for larceny; William Riley Green, sentenced April 18th, 1860, to one year's hard labor, for larceny; Albert Chadwick, sentenced April 18th, 1860, to one year, for larceny; Gnup, Soe-got-up and Snop, Indians, sentenced June 11th, 1860, to six months, for burglary; James Graham, sentenced Sept. 10th, 1860, to one year, for larceny; Sehocheke, an Indian, sentenced Sept. 11th, 1860, to one year hard labor, for larceny; Delos M. Gipson, sentenced Oct. 3d, 1860, to ten years' hard labor, for murder;

Peter B. Clarke, sentenced Nov. 5th, 1860, to 18 months' hard labor for larceny; John Laird, jun., sentenced Nov. 5th, 1860, to 18 months' hard labor, for larceny;—showing the whole number of prisoners to be 24; one United States (David McKenzie) and 23 Territorial, 9 of which were discharged by writs of habeas corpus, issued by Chief Justice D. R. Eckels, and tried at headquarters of the U. S. Army, Camp Floyd, Cedar county; namely, Martin Wheeler, Clark Allen Huntington, Moroni Clawson, Truelove Manhard and William Wesley Wheeler, April 4th, 1860. —John B. Barnum, William Bratton, *alias* Hiram Meecham, Charles Manhard, and Albert Chadwick, discharged, April 30th 1860. Three pardoned by his Excellency, A. Cumming, Governor of U. T.; viz: Thomas Colburn, May 16, 1860. Soe-got-up and Gnup, Indians, Nov. 20, 1860. Yodes and Snop, Indians, made their escape, Yodes on the 28th March, and Snop, June 25th, 1860. Charles Jarvis, discharged Aug. 18, 1860, term of sentence expired, which leaves one U. S. and eight Territorial prisoners now in the Utah Penitentiary.

There has been but little sickness among the convicts, during the season. Their general health at present is good.

Total amount of Expenditures to December 10, 1860:

Amount for guard service	\$2232 00
“ relief of Daniel Carn, late Warden	411 85
“ A. McRae	520 86
“ Tools	105 90
“ Fire wood	220 32
“ Provisions and cooking utensils	357 62
“ Clothing, Bedding and Shoes	175 95
“ Furniture for office	75 00
“ of reward for Clark and Greene	50 00
Expense of conveying guard and prisoners to Camp Floyd	100 50

\$4250 00

By amount of appropriation

\$3500 00

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Amount over drawn	- - - - -	900 00
To amount due guards, Dec. 10th	- - - - -	342 00

Showing a deficiency of	- - - - -	\$1242 00
to defray the expenses of the Utah Penitentiary to Dec. 10, 1860.		

Owing to the excitement that prevailed and threats that were made, on account of certain prisoners then in the Penitentiary, afterwards discharged by Chief Justice D. R. Eckels, as before stated, we found it necessary to increase the guard, both for the safety of the Warden and guard, and also for the security of the convicts. This, in connection with the conveying of prisoners and guards to Camp Floyd at sundry times, very much increased the expenses of the Penitentiary for the present year.

Owing to the short time many of the prisoners were confined in the Penitentiary, a few not sentenced to labor at all, others not compelled to labor outside the prison walls, and for the want of necessary means to purchase material and tools to keep them employed within the walls, the avails arising from the labor of convicts has been very small.

Work done on road between the Penitentiary and County		
road, to the amount of	- - - - -	\$50 00
Baskets on hand and disposed of, mostly on hand	- - - - -	48 00

Being the amount of labor performed by the prisoners,
as reported by the Warden.

We have shown that there is a deficiency of	\$1,242 00
to defray the present year's expense to Dec. 10.	

Amount required for expense, from Dec. 10, 1860, to January 20, 1861.	500 00
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Probable amount required from and after Jan. 20, 1861, to Jan. 20, 1862.	4000 00
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Showing the probable amount of appropriation required. \$5,742 00

We do not know that it is necessary to add anything more to this report. We therefore submit it for your consideration.

FERAMORZ LITTLE,	} Directors of Utah Penitentiary.
FREDERICK KESLER,	
E. R. YOUNG.	

The committee on judiciary reported, "an act in relation to the Supreme Court," which was read, and laid on the table to come up in its order."

The committee on roads, bridges, ferries and kanyons, to whom was referred the resolution of Mr. Greene, with regard to the control of certain timbers and kanyons in Tooele county, by E. T.

Benson, recommended the adoption of the resolution by adding the words "is hereby repealed" to the last clause of the resolution; which was read and referred back to said committee.

Mr. Rockwood moved, that the committee on roads. etc., be instructed to take into consideration the propriety of repealing "an ordinance to control the water of the Twin springs and Rock spring in Tooele valley and county, for mills and irrigating purposes. Approved, Dec. 9, 1850. Also, 'an ordinance in relation to the timber in the mountains west of Jordan.' Seconded and carried.

Mr. Rockwood was added to said committee.

The freedom of the House was granted to the ex-members of both Houses of the Legislative Assembly.

Mr. Wandell, chairman of the committee on education. to whom was referred Paragraph 31 of the Governor's message, reported, that they endorsed the sentiments contained in said paragraph, but in the present financial condition of the Territorial treasury, it is not deemed politic to draw from said treasury, moneys for the establishment of a permanent school fund.

On motion of Mr. West, the report was accepted, and the committee discharged from further duties on the subject.

Mr. Hyde moved, that the committee on counties be instructed to take into consideration the propriety of bringing in a bill defining the boundary and jurisdiction of each county, and report a bill, if advisable. Seconded and carried.

Mr. Wandell presented, "a bill for an act relating to the office of Territorial superintendent of common schools."

On motion of Mr. McGaw, the bill was received and laid on the table to come up in its order.

Mr. Long presented, "an act in relation to forms of actions in civil cases, and the parties thereto;" which,

On motion of Mr. Benson, was received and referred to committee on judiciary.

Mr. James, chairman of the committee on incorporations, to whom was referred the petition of Henry J. Young and others, citizens of Heber, in Utah county, praying for a city charter for said town of Heber, reported, that after consideration of the same, they could not find sufficient reasons for granting the request of the petitioners; and recommended that the same be laid on the table without further action.

On motion of Mr. Stout, the report of the committee was accepted; and the bill laid on the table, indefinitely.

Mr. Peacock moved, that the committee on incorporations be instructed to inquire into the condition of the various city incorporations (Great Salt Lake City excepted), and report to the House if the charters are of any benefit to the people of the various small incorporated cities within the Territory. Seconded and carried.

The oldest bill on the table being called for (H. F. No. 7); "an act in relation to the Supreme court," was taken up and read, and, On motion of Mr. Long, passed its first reading.

The next bill in order (H. F. No. 8), "an act relating to the office of Territorial superintendent of common schools," was taken up and read, and,

On motion of Mr. Bullock, passed its first reading.

The minutes were called for, read and accepted; and,

On motion of Mr. Moody, House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 18, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Tuesday, Dec. 18, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Geo. A. Smith, in behalf of the committee on memorials, to whom was referred the "Memorial to Congress for a railroad from the Missouri river to California, on the central route," reported back the memorial amended, and recommended its adoption as amended.

The memorial was read, and,

On motion of Councilor Carrington, was so adopted, and returned to the House for their concurrence in the memorial as amended.

Journal of the day read and approved.

On motion of Councilor Geo. A. Smith, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Tuesday, Dec. 18, 1860; 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion, Mr. Rockwood was called to the chair.

Prayer by the Chaplain.

The following message to the House was received from the Council:

"The Council has concurred in your memorial to Congress for mail service in Tooele and Shambip counties, and in the motion received from the House, authorizing the special committee, Counselor Geo. A. Smith, to employ sufficient clerks to assist him to compile the laws and memorials; also, in your resolution to print and publish the journals of the tenth session in pamphlet form. They are herewith returned."

The following communication was received from their Honors Judges Kinney and Crosby:

"GREAT SALT LAKE CITY,
Dec. 16, 1860. }

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE
OF REPRESENTATIVES, UTAH TERRITORY:

SIR:—Your letter of the 14th inst., informing us that a resolution had passed the House of Representatives, 'requesting the Judges of the Supreme Court to report to the Legislative Assembly all omissions, discrepancies, or other evident imperfections in the laws, which have fallen under their observation, in conformity to the fourth section of an act in relation to the judiciary, approved Feb. 4th, 1852,' was duly received.

In reply we beg leave respectfully to say, that we fully concur with the opinion expressed by his Excellency, the Governor, in his late message, that the laws of Utah are in very many respects imperfect, and not suited to the advanced condition and important business relations which the Territory has assumed within the last few years, and since the enactment of these laws.

Without attempting to point out specifically the imperfections and discrepancies, we would respectfully suggest that in place of emendations, in our opinion, the object of the Legislature could be better attained, public and private interests better protected, and the administration of justice by the courts rendered more speedy and complete, by an entire revision of the present general laws by

code commissioners, and the enactment of a code adapted to the advanced growth and condition of the Territory.

It is believed that nearly every State and Territory of the Union have passed codes of civil procedure, thereby dispensing with the useless forms and tardy justice of the common law, and we know of no reason why Utah should be behind her sister Territories in the work of legal reform.

With the assistance of these codes, approved as they have been by time and experience, we do not hesitate in saying that competent commissioners would be able to prepare, during the present session of the Legislature, a suitable and well-digested code of laws.

A practice act is imperiously demanded, and, we trust, the session will not terminate without providing a law so important to the successful administration of justice.

Very Respectfully,

J. F. KINNEY,

HENRY R. CROSSBY."

On motion of Mr. James, the communication was referred to the committee on judiciary.

Mr. McGaw, chairman of the committee on roads, bridges, ferries and canyons, to whom was referred back the resolution of Mr. Greene, regarding the control of certain timbers and canyons in Tooele county; also the motion of Mr. Rockwood, to take into consideration the propriety of repealing an ordinance to control the water of the Twin springs and Rock spring in Tooele county; also, an ordinance in relation to the timber in the mountains west of Jordan, reported a bill as a substitute for Mr. Greene's resolution, and recommended its passage.

On motion of Mr. West, the report was received, and the bill laid on the table to come up in its order.

Mr. Wandell reported back (H. F. No. 5) "Memorial to Congress for Pony Express," which was read, and,

On motion of Mr. Woolley, was received, and laid on the table to come up in its order.

Mr. West, chairman of committee on revenue, to whom was referred the motion of Mr. Rockwood of the 13th inst., reported that they had compared the Auditor's drafts on the Treasurer, with the various appropriations, and find them all correct, with the exception of his draft of (\$30) thirty dollars, in favor of Mr. John Kay, Territorial Marshal, (\$30) thirty dollars in favor of John Sharp, deputy Marshal, (\$900) nine hundred dollars in favor of Penitentiary, to wit: (\$500) five hundred dollars for guard service; (\$200) two hundred dollars for relief of Warden, and (\$200) two hundred

dollars for supplies, and said committee being satisfied that the above-mentioned drafts, which have been issued without authority; have been issued in good faith, for the benefit of the Territory, recommended that the committee on appropriations be instructed to incorporate in the general appropriation bill an amount sufficient to cover said drafts.

On motion of Mr. Benson, the report was received and laid on the table to come up in its order.

Mr. West, on behalf of committee on revenue, to whom was referred Par. 26th of the Governor's message, reported that they had given the subject a careful examination, and after due reflection, find that the law is amply sufficient if executed; which,

On motion of Mr. Benson, was received and the committee discharged from further duties on that subject.

The following message was received and read:

"The Council has amended your Memorial, entitled "a memorial to the Congress of the United States for a railroad from the Missouri river to California on the central route," and has adopted it as amended."

The memorial was read, and,

On motion of Mr. James, the House adopted the memorial, as amended by the Council.

Mr. Wandell asked and obtained leave to bring in a bill for "An act concerning justices of the peace," which was presented and read, (H. F. No. 10.)

During the reading, the Speaker arrived and took the chair.

On motion of Mr. Rockwood, said bill was received and laid on the table to come up in its order, and sixty copies thereof ordered to be printed in open lines.

The oldest bill being called for (H. F. No. 7) "An act in relation to the Supreme court" was read, and,

On motion of Mr. Wandell, the bill was laid on the table to come up when called for.

Mr. James moved that a committee be appointed to confer with the judges in relation to the times of holding the Supreme Court. Seconded and carried.

Messrs. Stout, West, and James were appointed said committee.

(H. F. No. 8) "An act relating to the office of Territorial Superintendent of common schools" was taken up and passed its second reading, as amended, by paragraphs.

The Memorial to Congress for Pony express was taken up, read and adopted, and ordered to be sent to the Council for concurrence.

The minutes were called for, read and accepted, and,

On motion of Mr. Long, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, DECEMBER 19, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Wednesday Dec. 19, 1860, 1 p.m. }

The Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from the Hon. F. H. Wootton, Secretary of the Territory:

SECRETARY'S OFFICE,
Great Salt Lake City, Dec. 19, 1860. }

HON. D. H. WELLS, PRESIDENT OF THE COUNCIL:

SIR:—Allow me through you to thank the Council for the compliment conveyed in the invitation to take a seat within the bar of the Chamber. Hoping that success may crown your, and your associates' official labors,

I remain, very respectfully,

Your obedient servant,

F. H. WOOTTON.

The following message was received from the House:

“DECEMBER 18, 1860,

“The House has concurred in your amendments to the Memorial to the Congress of the United States, for a railroad from the Missouri river to California, on the central route.

The House has adopted the Memorial for Pony Express, which is herewith inclosed for the concurrence of your honorable body.”

The Memorial for Pony Express was read, and,

On motion of Councilor Harrington, was referred to the committee on memorials.

Councilor William R. Smith reported, (C. F. No. 2) “An act in relation to the construction of a road up Weber kanyon.”

The bill was read, and,

On motion of Councilor Farr, was referred to the committee on roads, bridges, ferries and kanyons.

Journal of the day read and approved.

On motion of Councilor George A. Smith, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, County Court House,

G. S. L. City, Wednesday, Dec. 19, 1869, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented, petition of Henry J. Young and others for the erection of two bridges across the Provo river, which was read, and,

On motion of Mr. Bullock, referred to the committee on roads, bridges, ferries and kanyons.

Mr. Benson, in behalf of the majority of special committee to whom was referred (C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts," reported that they had duly considered the subject, and recommended its passage by the House.

On motion of Mr. Thurber, the report was received, and the bill laid on the table to come up in its order.

Mr. James presented (H. F. No. 12) "An act awarding damages on judgments taken to the Supreme court for delay," which was read; and,

On motion of Mr. Wandell, was received and referred to the committee on judiciary.

The committee on judiciary, to whom was referred (H. F. No. 9) "An act in relation to forms of actions in civil cases and the parties thereto," reported that they had duly considered the bill and amended the same by striking out sections 6, 7, 9 and 12, and recommended its passage as amended, which,

On motion of Mr. Woolley, was received and laid on the table to come up in its order.

Mr. West presented (H. F. No. 13) "An act prescribing the manner of assessing and collecting Territorial and county taxes," which was read, and,

On motion of Mr. Nebeker, was laid on the table to come up in its order.

The oldest bill being called for (H. F. No. 10) "An act repealing certain acts," was read, and,

On motion of Mr. West, passed its first reading.

The report of the committee on revenue, which recommended the incorporation, in the general appropriation bill, of three drafts, drawn without authority, but for the benefit of the Territory, was read, and,

On motion of Mr. Rockwood, said report was referred to the committee on claims, with instructions to investigate the same.

The committee on judiciary, to whom was referred (H. F. No. 12) "An act awarding damages on judgments taken to the Supreme court for delay," reported that they had duly considered the same by amending the first section so as to read "10 per cent." instead of "20 per cent.," in the 15th line; and the second section, by striking out the word "take" in the first line, and inserting "any appeal taken prior to" in lieu thereof.

On motion of Mr. Thurber, the report was received, and the bill laid on the table to come up in its order.

(H. F. No. 8) "An act relating to the office of Territorial Superintendent of common schools," was taken up on its third reading, and, on motion of Mr. Long, passed.

The bill was read by its title and so passed.

(C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts," was taken up and read, and, on motion, passed its first reading.

(H. F. No. 9) "An act in relation to forms of actions in civil cases, and the parties thereto," was taken up, and,

On motion of Mr. Bullock, passed its first reading.

(H. F. No. 13) "An act prescribing the manner of assessing and collecting Territorial and county taxes," was taken up on its first reading, and,

On motion of Mr. Long, passed.

On motion of Mr. Moody, sixty copies were ordered to be printed in open lines for the use of the Legislative Assembly.

Mr. Thompson moved, that the committee on revenue be instructed to inquire of the treasurer in regard to bills receivable on hand, as reported in 1859 and 1860; the condition of said bills, and why not paid; also, to inquire if the wheat on hand was paid on taxes; if so, at what price, and at what price disbursed. Seconded and carried.

Mr. Thompson moved, that the committee on roads, bridges, etc., be instructed to ascertain the reason why the road commissioner has not made a report, as required by an act approved Jan. 20, 1860. Seconded and carried.

Mr. Hyde moved, that the committee on revenue be instructed

to confer with the auditor of public accounts and ascertain, if possible, the causes of delinquent Territorial taxes in the various counties, as set forth in his report, and ascertain, if possible, the reasons of said delinquency, and the law in force at the time said delinquency appeared; and if in their judgment they think best to report a resolution ordering the collection or otherwise cancelling said demands. Seconded and carried.

The minutes were called for, read and accepted; and,

On motion of Mr. Benson, the House adjourned till to-morrow at 2 p.m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 20, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Thursday, Dec. 20, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff, chairman of the committee on revenue, made the following report:

"The committee on revenue to whom was referred 'A resolution for the relief of delinquent tax-payers of Millard, Beaver, Iron and Washington counties,' would respectfully report, that in their judgment, legislation is unnecessary on that subject at the present time."

Councilor Snow, chairman of the committee on roads, bridges, ferries and kanyons, made the following report:

"Your committee to whom was referred the act in relation to the construction of a road up Weber kanyon, beg leave to report unfavorably to its passage,

LORENZO SNOW, Chairman."

The following message was received from the House:

"DECEMBER 19, 1860.

"The inclosed bill (H. F. No. 8) 'An act relating to the office of Territorial Superintendent of common schools' has this day passed the House of Representatives, and is now respectfully submitted to your honorable body for concurrence."

The bill as received from the House was read, and,
On motion of Councilor George A. Smith, was referred to the
committee on education.

Journal of the day read and approved.

On motion of Councilor George A. Smith, Council adjourned till
to-morrow at 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Thursday, Dec. 20, 1860, 2 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. West presented, Petition from Robert L. Bybee, and sixty
others, praying for a county organization, to be called Morgan
county, which was read, and,

On motion of Mr. Bigler, referred to the committee on counties.

Mr. Benson, chairman of committee on elections, reported the
number and kind of offices to be filled by the joint vote of this
Legislative Assembly, viz:

One chancellor and twelve regents of the Deseret University.

One treasurer of the University;

One Territorial treasurer;

One auditor of public accounts.

One Territorial road commissioner;

One Territorial marshal;

One attorney general;

One district attorney for the first judicial district;

“ “ second “

One Territorial surveyor general;

One librarian;

One recorder of marks and brands;

One warden of the Penitentiary;

Three directors of the Penitentiary;

One sealer of weights and measures;

One probate judge and one notary public for Washington county;

“ “ “ “ Iron “

“ “ “ “ Beaver “

“ “ “ “ Millard “

One probate judge and one notary public for Sanpete county.

"	"	"	" Sanpete	"
"	"	"	" Juab	"
"	"	"	" Cedar	"
"	"	"	" Utah	"
"	"	two notaries public	" G. S. Lake	"
"	"	one notary public	" Davis	"
"	"	"	" Weber	"
"	"	"	" Box Elder	"
"	"	"	" Cache	"
"	"	"	" Green River	"
"	"	"	" Tooele	"
"	"	"	" Shambip	"
"	"	"	" Carson	"

On motion of Mr. Rockwood, said report was laid on the table to come up in joint session when called for.

According to previous notice, Mr. James presented (H. F. No. 14) a bill for "An act constituting the county jail of Carson county as a branch Penitentiary of the Territory of Utah," which was read, and referred to the committee on Penitentiary.

Mr. McGaw presented, (H. F. No. 15) a bill for "An act to open a road up Weber river kanyon, and appropriating money therefor," which was read, and,

On motion of Mr. Woolley, referred to the committee on roads, bridges, ferries and kanyons.

Mr. James, presented (H. F. No. 16) a bill for "An act regulating the interest of money in Utah Territory," which was read, and referred to the committee on judiciary.

The oldest bill being called for, (C. F. No. 1) "An act assigning the chief justice and the two associate justices to the several judicial districts," was read, and on motion of Mr. Benson passed its second reading.

(H. F. No. 10) "An act repealing certain acts" was called for and,

On motion of Mr. Long, passed its second reading.

(H. F. No. 12) "An act awarding damages on judgments taken to the Supreme court for delay" was taken up and read, and,

On motion passed its first reading.

(H. F. No. 9) "An act in relation to forms of actions in civil cases and the parties thereto" was taken up, read, and amended as recommended by judiciary committee, and,

On motions, passed its second reading by sections.

Mr. Long moved, that the committee on library be instructed to bring in a bill authorizing the librarian to procure complete files of all the newspapers and periodicals that have been and that now are

being published in this Territory; also to authorize him to supply the library with two copies each of all books originating in this Territory. Seconded and carried.

Mr. James presented (H. F. No. 17) a bill for "An act concerning the powers and duties of district judges," which was read, and,

On motion of Mr. Long, referred to the committee on judiciary.

Mr. James gave notice that he would on to-morrow introduce a bill for an act to incorporate the Carson railroad and turnpike company.

The minutes were called for, read and accepted, and,

On motion, the House adjourned till to-morrow at 10 a.m.
Benediction by the Chaplain.

FRIDAY, DECEMBER 21, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Friday, Dec. 21, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented the following report:

TO THE HON. COUNCIL OF THE LEGISLATIVE ASSEMBLY,

OF THE TERRITORY OF UTAH:

GENTLEMEN:—"Your committee, to whom was referred the revision and compilation of the laws and resolutions of Utah Territory, respectfully submit, 'An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory,' embracing a schedule thereof, with the amendments inserted in their proper places. The amendatory acts are omitted in the schedule. Several short acts have been compiled as sections of the principal acts of their respective subjects, and are omitted in the list. Repealing sections, and sections declaring when an act shall be in force, are also omitted. A principal difficulty which your committee has encountered, has been to determine what laws were repealed by the numerous repealing sections which read 'all laws and parts of laws contrary to this act are

hereby repealed.' The judiciary committees, as well as other members of both houses, have rendered efficient aid. Your committee was also fortunate in securing the services of John Jaques, Esq., as clerk.

'Book 1,' refers to the revised laws of Utah.

G. A. SMITH."

The accompanying bill, (C. F. No 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory" was read, and,

On motion of Councilor Woodruff, was referred to the committee on judiciary for their consideration, with instructions to have sixty copies thereof printed for the use of the two Houses.

On motion of Councilor Carrington, the House of Representatives was invited to meet the Council in joint session in the Representatives' Hall, at 2 o'clock p.m., of Monday, December 24, for the purpose of electing the officers elective by the Legislative Assembly.

The following message was received from the House:

"The inclosed bills, (H. F. No. 9) 'An act in relation to forms of actions in civil cases and the parties thereto;' also,

(H. F. No. 10) 'An act repealing certain acts and ordinances' have this day passed the House of Representatives, and are now respectfully submitted to your honorable body, for concurrence."

(H. F. No. 9) "An act in relation to forms of actions in civil cases and the parties thereto" was read.

On motion of Councilor Farr, the bill was referred to the committee on judiciary.

(H. F. No. 10) "An act repealing certain acts and ordinances" was read, and,

On motion of Councilor Snow, the bill was referred to the committee on incorporations.

Journal of the day read and approved.

On motion of Councilor Carrington, Council adjourned till Monday, at 1 p.m.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Friday, Dec. 21, 1860, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The report of Theodore McKean, territorial road commissioner, was read, and,

On motion of Mr. Greene, was referred to the committee on claims and appropriations; of which the following is a copy:

"GREAT SALT LAKE CITY,
Dec. 15, 1860. }

TO THE LEGISLATIVE ASSEMBLY**OF THE TERRITORY OF UTAH:**

GENTLEMEN:—Agreeable to the requirements of law, I have the honor to present for your consideration the following report of the progress of public improvements authorized at your last session:

The road from Great Salt Lake City, by way of Big Kanyon Creek, to the valley of the Weber, has been located on the most feasible route, and the appropriation (of two thousand dollars) has been expended by contract with Gen. D. H. Wells: Since the appropriation was made by the Legislative Assembly, a coal vein eleven feet in thickness, and of superior quality, has been discovered in Grass Creek Kanyon, near the terminus of the road, and in consideration of the benefit the inhabitants of Utah would derive by its discovery, the county court of Great Salt Lake county, appropriated one thousand dollars, subject to my order; and Gen. D. H. Wells has expended, up to the 1st inst., five thousand five hundred and fifty-seven dollars and fifty-five cents, making a total of eight thousand five hundred and forty-seven dollars and fifty-five cents, which has been expended on the line of the route. The road has been located so that most of the steep hills are avoided, and passes through Parley's Park and Silver Creek Kanyon, which shortens the distance several miles.

The Legislative Assembly appropriated one thousand five hundred dollars, and the county court and city council of Great Salt Lake county and city each appropriated one thousand five hundred dollars, making a total of four thousand five hundred dollars for building a bridge across the river Jordan, on North Temple street, Great Salt Lake City. After making a careful estimate of the cost of building the same, according to the plan adopted. I found the appropriation insufficient, and consulted with the representatives of the county and city, who gave me encouragement to proceed in its erection, therefore in behalf of the Territory I took the responsibility of contracting with Pres. B. Young, for building the same. The bills have not all been presented, but from estimates they will amount to eight thousand five hundred or nine thousand dollars, which includes the expense of building a temporary bridge for the accommodation of the public, until the new one

is completed: which will be, if the weather proves favorable, about the first of January next.

The county court of Weber county complied with the requirements of the act, providing for a bridge across Weber river, and appropriated one thousand dollars for its erection, which, with the amount appropriated by the Legislative Assembly, amounts to four thousand dollars. The work is progressing, and it will no doubt be completed before the first of March next.

I would respectfully recommend that an appropriation be made to reimburse Gen. D. H. Wells for the amount he has expended on Great Salt Lake City and Weber Valley road; that an appropriation of one thousand, five hundred dollars be made for Jordan bridge, and an additional appropriation of one thousand dollars for the completion of the bridge across the Weber river.

The building of a bridge across the Weber river on the road to the coal mines would greatly enhance the interests of the traveling public—and I would also recommend that an appropriation be made for that purpose.

Respectfully,
THEODORE MCKEAN,
Territorial Road Commissioner.

A communication from his Honor, Secretary F. H. Wootton, inclosing, at the Governor's request, "an application from the inhabitants of Carson city, Carson county, requesting the election of a notary public for said county, for which appointment Henry F. Price is by them recommended;" which, with said application and a communication from Judge Flenniken, recommending said Mr. Price as a gentleman well qualified in all respects for the office he seeks, were read, and,

On motion of Mr. Rockwood, said documents were laid on the table to be introduced in joint-session at the election of officers by the Assembly.

Mr. McGaw, in behalf of the committee to whom was referred (H. F. Fo. 15) a bill for "An act in regard to opening a road up Weber kanyon," reported the same back, with a recommendation for its passage, which report and bill were read, and,

On motion of Mr. Rockwood, the bill passed its first reading.

(C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts," was read, debated upon, and,

On motion of Mr. Stout, was laid on the table until to-morrow.

On motion of Mr. Long, the business in order was deferred, and (H. F. No. 10) "An act concerning justices of the peace" was taken up and read.

On motion of Mr. Stout, passed its first reading.

Said bill was taken up on its second reading, by sections, and amended by striking out the last 9 words in section 40, also sections 46 and 47, and,

On motion of Mr. West, passed its second reading, as amended.

The bill, (H. F. No. 11) "An act repealing certain acts," was taken up, and read the third time, and,

On motion of Mr. Rockwood, passed its third reading, and was ordered to be sent to the Council for their concurrence.

The bill, (H. F. No. 12) "An act awarding damages on judgments taken to the Supreme court for delay," was taken up on its second reading, and,

On motions, passed its second reading.

The bill, (H. F. No. 9) "An act in relation to forms of actions in civil cases and the parties thereto," was taken up, and,

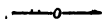
On motion of Mr. Bullock, passed its third reading.

Said bill was read by its title and so passed, and was sent to the Council for their concurrence.

The minutes were called for, read and accepted.

On motion, the House adjourned until 10 a.m. to-morrow.

Benediction by the Chaplain.



SATURDAY, DECEMBER 22, 1860.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Saturday, Dec. 22, 1860, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A note was read from his Honor, Secretary Francis H. Wootton, thanking the honorable members for their complimentary resolution inviting him to a seat within the bar of the House.

A message was received and read from the Council, respectfully soliciting a joint session on Monday, Dec. 24, at 2 p.m., in the Representatives' Hall, for the purpose of electing the officers elective by the Legislative Assembly.

On motion of Mr. Benson, the House concurred.

Mr. Stout, in behalf of the judiciary committee, reported (H. F.

No. 18) a bill for "An act amending certain acts therein named," was read, and,

On motion of Mr. Bullock, laid on the table to come up in its order, and 60 copies were ordered to be printed.

Mr. James presented (H. F. No. 19) a bill for "An act to incorporate the Carson Railroad and Turnpike Company," which was read, and,

On motion of Mr. Stout, referred to the committee on incorporations.

Mr. James presented (H. F. No. 20) a bill for "An act concerning mining claims in Carson county, which was read, and referred to the committee on judiciary.

The bill (C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts," was taken up, and,

On motion of Mr. Benson, passed its third reading.

(H. F. No. 15) a bill for "An act to open a road up Weber river kanyon and appropriating money therefor," was taken up on its second reading and referred to the committee on claims and appropriations.

(H. F. No. 12) a bill for "An act awarding damages on judgments taken to the supreme court for delay," was taken up on its third reading and lost.

(H. F. No. 11) a bill for "An act concerning justices of the peace," was taken up and passed its third reading, and,

On motion of Mr. Stout, the title of the bill was amended so as to read "An act concerning justices of the peace in civil cases."

The title was read as amended, and so passed.

(H. F. No. 18) a bill for "An act amending certain acts therein named," was taken up, read, and,

On motion of Mr. Moody, passed its first reading.

The minutes were called for, read and accepted, and,

On motion, the House adjourned till Monday at 10 a.m.

Benediction by the Chaplain.

MONDAY, DECEMBER 24, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. CITY,
Monday, Dec. 24, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from the House:

"December 22, 1860.

"The House of Representatives has concurred in your request for a joint session on Monday, Dec. 24, at 2 p.m., to elect the necessary officers. They have also concurred in (C. F. No. 1) "An act assigning the Chief Justice and the two Associate Justices to the several judicial districts."

The House has passed (H. F. No. 11) "An act concerning justices of the peace in civil cases," which is herewith sent to your honorable body for concurrence.

Respectfully,

JOHN TAYLOR, Speaker."

The time for joint session having arrived, the Council repaired to the Representatives' Hall for that purpose.

5 p.m.

Upon dissolution of joint session, the Council resumed its session.

On motion of Councilor Geo. A. Smith, (H. F. No. 11) "An act concerning justices of the peace in civil cases," was referred to the committee on judiciary.

On motion of Councilor Carrington, the Council adjourned till Wednesday, 26th inst., at 1 p.m.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City. }
Monday, December 24, 1860, 2 p.m. }

The Assembly convened in joint session in the Representatives' Hall, according to previous arrangement.

By request of the President of the Council, the Speaker of the House of Representatives presided.

The Secretary called the roll of the Council; quorum present.

The Chief Clerk called the roll of the House; quorum present.

Prayer by the Chaplain of the Council.

The Speaker declared the joint session open, and announced that

the business for which the joint session convened was the election of the officers elective by the Assembly.

On motion of Mr. Benson, Albert Carrington was elected Chancellor of the University.

On motion of Mr. Benson,

Geo. W. Mousley,

T. B. H. Stenhouse,

Jos. A. Young,

Robert L. Campbell,

Gilbert Clements,

William Eddington,

Carl G. Maeser,

Henry I. Doremus,

Orson Pratt, jun.,

James Cobb,

Samuel W. Richards and

Isaac Groo,

} were elected Regents of the
University.

On motion of Mr. Long, Thomas W. Ellerbeck was elected Treasurer of the University.

On motion of Councilor Hardy, David O. Calder was elected Territorial Treasurer.

On motion of Mr. Rockwood, William Clayton was elected Auditor of Public Accounts.

On motion of Mr. Rockwood, Theodore McKean was elected Territorial Road Commissioner.

On motion of Mr. Long, Henry W. Lawrence was elected Territorial Marshal.

On motion of Mr. Benson, Séth M. Blair was elected Attorney-General.

On motion of Mr. Hatch, William Snow was elected District Attorney for the First Judicial District.

On motion of Mr. James, Wm. H. Linsey was elected District Attorney for the Second Judicial District.

On motion of Mr. Woolley, Jesse W. Fox was elected Territorial Surveyor General.

On motion of Councilor Woodruff, John Lyon, sen., was elected Librarian.

On motion of Mr. Stout, William Clayton was elected Recorder of Marks and Brands.

On motion of Mr. Benson, Frederick Kesler was elected a Director of the Penitentiary.

On motion of Mr. Bigler, Feramorz Little was elected a Director of the Penitentiary.

On motion of Mr. Hatch, E. R. Young was elected a Director of the Penitentiary.

On motion of Mr. Rockwood, James A. Little was elected Warden of the Penitentiary.

On motion of Mr. Bigler, Nathan Davis was elected Sealer of Weights and Measures.

On motion of Mr. Crosby, James D. McCullough was elected Probate Judge of Washington county.

On motion of Mr. Crosby, Robert D. Covington was elected Notary Public for Washington county.

On motion of Mr. Wandell, Silas S. Smith was elected Probate Judge of Iron county.

On motion of Mr. S. Smith, Calvin C. Pendleton was elected Notary Public for Iron county.

On motion of Mr. Wandell, Daniel M. Thomas was elected Probate Judge of Beaver county.

On motion of Mr. Wandell, Philo T. Farnsworth was elected Notary Public for Beaver county.

On motion of Mr. Thompson, John A. Ray was elected Probate Judge of Millard county.

On motion of Councilor Ray, Thomas R. King was elected Notary Public for Millard county.

On motion of Mr. Peacock, Gardner Snow was elected Probate Judge of Sanpete county.

On motion of Councilor Whiting, John Eager was elected Notary Public for Sanpete county.

On motion of Mr. Bigler, Andrew Love was elected Probate Judge of Juab county.

On motion of Mr. Bigler, Samuel Pitchforth was elected Notary Public for Juab county.

On motion of Mr. Hatch, Zerubbabel Snow was elected Probate Judge of Cedar county.

On motion of Mr. Hatch, Allen Weeks was elected Notary Public for Cedar county.

On motion of Mr. Bullock, Aaron Johnson was elected Probate Judge of Utah county.

On motion of Mr. Thurber, James W. Cummings was elected Notary Public for Utah county.

On motion of Councilor Woodruff, Elias Smith was elected Probate Judge of Great Salt Lake County.

On motion of Mr. Long, John T. Caine was elected a Notary Public for Great Salt Lake County.

On motion of Mr. Long, William W. Phelps was elected a Notary Public for Great Salt Lake County.

On motion of Councilor Wm. R. Smith, Samuel W. Richards was elected Probate Judge of Davis county.

On motion of Councilor Wm. R. Smith, James Leithhead was elected Notary Public for Davis county.

A motion of Mr. McGaw, that Aaron Farr be elected Probate Judge of Weber county, was lost.

On motion of Mr. Bigler, Francis A. Brown was elected Probate Judge of Weber county.

On motion of Mr. McGaw, Wm. Creitchlow was elected Notary Public for Weber county.

On motion of Councilor Snow, Samuel Smith was elected Probate Judge for Box Elder county.

On motion of Mr. Stout, Jonathan C. Wright was elected Notary Public for Box Elder county.

On motion of Mr. Benson, Peter Maughan was elected Probate Judge of Cache county.

On motion of Mr. Benson, James H. Martineau was elected Notary Public for Cache county.

On motion of Mr. Long, William A. Carter was elected Probate Judge of Green River county.

On motion of Mr. Bullock, William A. Carter was elected Notary Public for Green River county.

On motion of Mr. Long, Evan M. Greene was elected Probate Judge of Tooele county.

A motion of Mr. Stout, that Evan M. Greene be elected Notary Public for Tooele county, was lost.

On motion of Mr. Long, Lysander Gee was elected Notary Public for Tooele county.

On motion of Councilor Hardy, Luke Johnson was elected Probate Judge of Shambip county.

On motion of Councilor Geo. A. Smith, Samuel Bennion was elected Notary Public for Shambip county.

Mr. Long nominated John S. Child for Probate Judge of Carson county.

Mr. Clawson nominated James H. Rawlson for Probate Judge of Carson county.

Pending the consideration of these nominations, the following communication from the Executive was read:

"GREAT SALT LAKE CITY, U. T., }
24th December, 1860. }

HON. D. H. WELLS, PRESIDENT OF COUNCIL:

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE OF

REPRESENTATIVES:

GENTLEMEN:—

The name of the Hon. John S. Child is respectfully submitted

for consideration to the joint session as a suitable person for election to the office of Probate Judge for Carson county.

Judge Child, who is the present incumbent, was appointed by me during a recess of the Legislature, and he was elected by your honorable body at its last annual session.

Very respectfully, your obedient servant,

A. CUMMING."

After discussion, the question being called for, was put, and John S. Child was elected Probate Judge of Carson county.

Pending the election of a notary public for Carson county, the Chief Clerk of the House read a communication from the Secretary of the Territory, inclosing a petition from some citizens of Carson county, asking for the appointment of Henry F. Rice as Notary Public for that county; also a note from Hon. R. P. Flenniken, recommending Mr. Rice as a gentleman well qualified to fill the office of Notary Public, when,

On motion of Mr. Benson, Henry F. Rice was elected Notary Public for Carson county.

Journal read and accepted.

On motion of Councilor Geo. A. Smith, the joint session dissolved.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Monday, Dec. 24, 1860, 10 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Wandell presented memorial from the citizens of Beaver county, praying for an appropriation, for a term of years, of the amount of Territorial taxes accruing upon the assessment of Beaver county, to be expended upon the present road, or in locating and improving a Territorial road in said county; which was read, and,

On motion of Mr. Wandell, referred to the committee on claims and appropriations.

Mr. Rockwood, chairman of committee on Penitentiary; to whom was referred par. 33 of the Governor's message, reported that they had taken the subject into consideration and found, on examining the law, that provision is made for the purchasing of tools, materials, etc., requisite to furnish labor for the convicts; hence all that

is necessary to accomplish what his Excellency desires, is the faithful execution of the law.

On motion of Mr. McGaw, the report was received, and the committee discharged from further duties on that subject.

Mr. Peacock, in behalf of the committee on library, to whom was referred the duty of bringing in a bill authorizing and requiring the librarian to procure and preserve certain printed matter, presented a bill (H. F. No. 21) "An act authorizing and requiring the Territorial Librarian to procure and preserve on file certain printed matter."

On motion of Mr. Wandell, the report was received, and the bill laid on the table to come up in its order.

Mr. Stout, chairman of committee on judiciary, to whom was referred the bill, (H. F. No. 20) "An act concerning mining claims in Carson county," reported that they had duly considered said act, and reported the same back amended by striking out the words "said territory" in the 23d line of Sec. 1, and inserting instead the words "the district"; also, by adding the words "and costs" between the words "damages" and "that" in the 21st line of Sec. 2; also, by striking out the words "specifying to whom he has applied" from the 13th and 14th lines of Section 3; also, by striking out the words "in any court of competent jurisdiction" from the 6th and 7th lines of Sec. 6.

On motion of Mr. Bullock, the report was received and the bill laid on the table to come up in its order.

Mr. Smith, chairman of committee on counties, to whom was referred the petition of the inhabitants of Weber valley, asking for the organization of Morgan county, reported that there were not sufficient reasons set forth in said petition to justify said organization.

On motion of Mr. Long, the report of said committee was adopted.

The oldest business on the table being called for, (H. F. No. 18) "An act to amend certain acts therein named," was taken up and read, and,

On motion of Mr. Long, passed its first reading.

[H. F. No. 13] "An act prescribing the manner of assessing and collecting Territorial and county taxes, was taken up on its second reading, by sections.

While sections 5 and 6 were under discussion,

On motion of Mr. Benson, the House adjourned till 2 p.m.

Benediction by the Chaplain.

2 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

According to previous vote, the House went into joint session.

[See joint session minutes.]

On joint session dissolving, the House adjourned till Wednesday, at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, DECEMBER 26, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Wednesday, Dec. 26, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

Councilor Farr, chairman of the committee on incorporations, made the following report:

"Your committee, to whom was referred [H. F. No. 10] 'An act repealing certain acts,' having carefully examined the matter, see no reason why we should not concur with the House in the adoption of said act, and would therefore recommend its passage."

On motion of Councilor Ferguson, the bill was read the first time.

The bill passed its first reading, and,

On motion of Councilor Hardy, was read the second time.

On motion of Councilor Snow, the bill was laid on the table for further consideration.

Journal read and approved.

On motion of Councilor Harrington, the Council adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
 Wednesday, Dec. 26, 1860, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Stout, chairman of the committee on judiciary, to whom was referred [H. F. No. 16] a bill for "An act regulating the interest of money in Utah Territory," reported that after duly considering the same, they have amended it by striking out in the title the words "in Utah Territory;" also, by inserting the words, "and not exceeding twenty per cent.," at the end of the 4th line of Sec. 2, and adding a 4th section.

The bill was read as amended, and,

On motion of Mr. Bullock, passed its first reading.

The unfinished business on the table being called for, [H. F. No. 13] a bill for "An act prescribing the manner of assessing and collecting Territorial and county taxes," which was under discussion on Monday last, on its second reading, was resumed, and after discussion,

On motion of Mr. Stout, the bill was postponed indefinitely.

On motion, the House adjourned until to-morrow, at ten a.m.

Benediction by the Chaplain.

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THURSDAY, DECEMBER 27, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
 Thursday, Dec. 27, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Snow, Councilor Geo. A. Smith was elected President *pro tem*.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented the following report:

"Your committee to whom was referred the revision and compilation of the laws of Utah Territory, respectfully submit the accom-

panying schedule, containing the titles of those acts and resolutions which are repealed, obsolete, superseded, or not necessary to be reprinted."

The accompanying schedule was read.

On motion of Councilor Ferguson, the report was accepted.

The special committee appointed to revise and compile the laws presented a bill from John Jaques, Esq., of \$30, for services as clerk rendered to said committee.

On motion of Councilor Ferguson, the claim was referred to the committee on claims and appropriations, with instructions to incorporate it in the Territorial Appropriation Bill.

On motion of Councilor Farr, the schedule reported to-day by the special committee appointed to revise and compile the laws, was referred to the committee on judiciary, for their careful examination in connection with [C. F. No. 3] "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory."

Journal read and approved.

On motion of Councilor Snow, Council adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Thursday, Dec. 27, 1860, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood, chairman of committee on penitentiary, to whom was referred a bill for an act constituting the county jail of Carson county as a branch penitentiary of the Territory of Utah, reported a bill as a substitute, which,

On motion of Mr. Rockwood, was received, and laid on the table to come up in its order.

Mr. Bullock presented a report from Wm. Marsden, clerk of Utah county court, pertaining to the letting of Provo kanyon road, which was read, and,

On motion of Mr. Stout was referred to a special committee.

The Speaker appointed Messrs. Rockwood, Woolley and Stout said committee.

Mr. James presented (H. F. No. 22) a bill for "An act concerning notaries public in Carson county," which was read, and,

On motion of Mr. Rockwood, passed its first reading.

Mr. James presented (H. F. No. 23) a bill for "An act awarding damages on judgments taken to the Supreme court for delay," which was read, and,

On motion of Mr. Bigler, passed its first reading.

Mr. Bullock presented (H. F. No. 24) a bill for "An act concerning estray pounds," which was read, and,

On motion of Mr. Bigler, referred to a special committee.

The Speaker appointed Messrs. Benson, Bigler, Woolley and Moody said committee.

Mr. Wandell presented [H. F. No. 25] a bill for "An act for the protection of school lands," which was read, and,

On motion of Mr. Greene, passed its first reading.

The oldest bill on the table being called for [H. F. No. 21] "An act authorizing and requiring the Territorial librarian to procure and preserve on file certain printed matter," was taken up, and,

On motion of Mr. Thompson, passed its first reading.

[H. F. No. 20] "An act concerning mining claims in Carson county," was taken up, and,

On motion of Mr. Peacock, passed its first reading.

[H. F. No. 14] "An act constituting county jails, prisons and for other purposes," was taken up, and,

On motion of Mr. Bullock, passed its first reading. Sixty-five copies thereof were ordered to be printed for the use of both Houses.

[H. F. No. 18] "An act amending certain acts therein named" was taken up on its second reading; when section 2 was amended by adding the following words: "also by inserting the words 'or both,' between the words 'six months' and the word 'at' in the 8th line, and also to strike out the words 'at the discretion of the court having jurisdiction' at the end of the act."

Sec. 3 was amended by inserting between the 3d and 4th lines the following words: "31st sec. of said act be stricken out, and that the."

A section was added as follows:

"Sec. 5. That sec. 18 of 'An act concerning costs and fees of courts and for other purposes,' approved Jan. 21, 1859, be amended by striking out the words 'or if any person shall charge or demand and take any of the fees herein before ascertained, when the business for which such fees are chargeable shall not have been actually done and performed.' "

On motion of Mr. Thurber, the bill passed its second reading as amended.

Mr. Bigler presented "An account by sundry persons for building bridges and making a road in Salt Creek kanyon, Juab county, in the spring of 1852," which was read, and,

On motion of Mr. Stout, referred to the committee on claims and appropriations.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, DECEMBER 28, 1860.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Friday, Dec. 28, 1860, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented a petition from the citizens of Cache county, signed by John G. Smith and 173 other persons, praying that an appropriation of \$1500, be made for the purpose of opening and keeping in repair a road from the mouth of Box Elder kanyon to Wellsville, in Cache valley, which was read, and,

On motion of Councilor Smith, was referred to the committee on road, bridges, ferries and kanyons.

Councilor Geo. A. Smith presented a petition, signed by Peter Maughan and 111 other citizens of the town of Logan, Cache county, praying for a city charter for certain specified limits, to be called Logan city, which was read.

On motion of Councilor Ferguson, the petition was referred to the committee on incorporations, with instructions to present an act of incorporation at an early day.

Councilor Woodruff presented "Memorial to Congress for an appropriation to increase the Utah library."

The memorial was read, and,

On motion of Councilor Smith, was adopted, and ordered to be sent to the House of Representatives for its concurrence.

Councilor Geo. A. Smith, chairman of committee on memorials, to whom was referred the House "Memorial for Pony Express," reported adversely to the adoption of said memorial, assigning, that the Assembly, having already memorialized Congress for a daily

mail, could not consistently ask them to set up an opposition to it.

On motion of Councilor Snow, the report was received and the memorial ordered to be returned to the House not concurred in.

The following communication was read:

"SECRETARY'S OFFICE, G. S. L. City, }
Dec. 19th, 1860.

HON. D. H. WELLS, PRESIDENT OF COUNCIL:

SIR:—A Resolution changing the place of holding the tenth annual session of the Legislative Assembly, from the Social Hall to the County Court House, in Great Salt Lake City, has received the assent of His Excellency the Governor, and a copy thereof is on file in this office.

The 'Memorial to Congress for the establishment of a semi-weekly mail from Fillmore to Los Angeles, California, has also received His Excellency's assent, and been forwarded to the Hon. Wm. H. Hooper for presentation to Congress.—I am, sir,

Your obedient servant,
FRANCIS H. WOOTTON,
Secretary of Territory."

The following communication was also read:

"SECRETARY'S OFFICE, G. S. L. City, }
Dec. 19th, 1860.

HON. D. H. WELLS, PRESIDENT OF COUNCIL:

SIR:—By request of the Governor, I herewith inclose a petition, signed Wm. H. Kimball and John Spriggs, claiming from His Excellency, as executive for the Territory, a warrant upon the treasury for \$1000 [one thousand dollars] basing their claim upon a resolution of the Legislature, approved Jan. 14th, 1854, offering a reward of the above amount to any person who should open a good mine of coal, not less than 18 inches thick, within 40 miles of Great Salt Lake City, in any accessible position that can be profitably worked, and which the signers claim to have fulfilled.

Please present the memorial to the proper committee, with instructions to obtain suitable testimony to govern His Excellency's action in the premises.

Please return the petition, subject to the order of the Governor.

Your obedient servant,
FRANCIS H. WOOTTON,
Secretary of Territory."

The petition referred to was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on claims and appropriations.

On motion of Councilor Geo. A. Smith, the concurrence of the House was elicited for an adjournment of the Council till Thursday, 3d proximo, at 1 p.m.

On motion of Councilor Snow, [H. F. No. 10] "An act repealing certain acts, &c.," was taken up on its second reading.

On motion of Councilor Woodruff, the bill was not concurred in, and ordered to be so returned to the House.

The following message was received from the House:

"The House of Representatives has concurred with your 'Memorial to Congress for an appropriation to increase the Utah library,' which is herewith inclosed.

They have also concurred with the Council in adjourning until Thursday, Jan. 3, 1861, at 1 p.m."

Journal read and approved.

On motion of Councilor Geo. A. Smith, Council adjourned till Thursday, Jan. 3, 1861, at 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Friday, Dec. 28, 1860, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented [H. F. No. 26] a bill for "An act in relation to actions on official securities," which was read, and,

On motion of Mr. Stout, passed its first reading.

Mr. Wandell presented [H. F. No. 27] "Resolution offering a reward for the discovery of a copper mine," which was read, and,

On motion of Mr. Stout, referred to the committee on agriculture, trade and manufactures.

Mr. Bullock presented [H. F. No. 28] a bill for "An act concerning arrests," which was read, and,

On motion of Mr. Stout, passed its first reading.

[H. F. No. 7] "An act in relation to the Supreme court," was called for, and taken up on its second reading, by sections, and amended by substituting the word "July" for "June" in the fifth line of sec. 1.

On motion of Mr. Bullock, the bill passed its second reading by sections, as amended.

[H. F. No. 16] a bill for "An act regulating the interest of money," was taken up on its second reading, and lost.

The following message was received from the Council:

"The Council has considered your memorial for Pony Express, and has voted not to concur in said memorial, assigning as a reason that, the Assembly having already memorialized Congress for a daily mail, they could not consistently ask them to set up an opposition to it."

An account of Theodore McKean, for services as Territorial Marshal, was read, and,

On motion of Mr. Stout, referred to the committee on claims and appropriations.

[H. F. No. 22] a bill for "An act concerning notaries public in Carson county," was taken up on its second reading by sections, and,

On motion of Mr. Benson, the bill was laid over.

The following was received from the Council:

"The Council has adopted the inclosed memorial, entitled 'Memorial to Congress for an appropriation to increase the Utah library,' which is respectfully submitted for the action of your honorable body."

Said memorial was read, and,

On motion of Mr. Stout, the House concurred with the Council in the adoption thereof.

The following was also received from the Council:

"The Council has considered your bill (H. F. No. 10) 'An act repealing certain acts and ordinances granting the control of canyons, timbers, and waters to certain individuals, and for other purposes,' and has voted not to concur therein.

The bill is herewith respectfully returned."

The following message was also received from the Council:

"The concurrence of the House is solicited for an adjournment of the Council from date till Thursday the 3d proximo at 1 p.m."

On motion of Mr. Long, the House concurred in the wishes of the Council for their adjournment.

The minutes were called for, read and accepted.

On motion, the House adjourned in conformity with the adjournment of the Council, viz., until Thursday next, at 1 p.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 3, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Thursday, Jan. 3, 1861, 1 p.m. }

The Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor Snow,

Councilor Ferguson was elected President *pro tem*.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented a petition from the citizens of Fountain Green and Moroni, in Sanpete county, signed by Matthew Caldwell and 114 other persons, praying for the removal of the county seat of that county from Manti to Moroni, which was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on counties.

Councilor Geo. A. Smith also presented a petition from the citizens of Mount Pleasant, Sanpete county, signed by W. S. Seeley and 179 other persons, praying for an appropriation for the construction of a road from that place *via* Thistle valley and Spanish Fork to Springville, Utah county, which was read, and,

On motion of Councilor Geo. A. Smith, the petition was referred to the committee on roads, bridges, ferries and kanyons.

Councilor Woodruff, chairman of the committee on revenue, submitted the following report:

"TO THE HONORABLE THE PRESIDENT

AND THE COUNCIL:

GENTLEMEN:

Your committee, to whom was referred that portion of the Governor's message relating to the subject of taxation at Fairfield and Camp Floyd, would respectfully report that we have thoroughly investigated this subject, and have received the facts in the case from the probate judge and the assessor and collector of Cedar county, whereby we have learned that the commanding officers of the U. S. Army at Camp Floyd utterly forbid the assessing or collecting of any taxes from any person whatever, within the military reserve; also, that the inhabitants of Fairfield, who are not included in the military reserve, have called meetings and passed resolutions declaring that they will not pay any taxes to those assessors and collectors who are appointed by the laws of the Territory, and

such officers have been hindered in the discharge of their duty by mob force, as the documents accompanying this report, which are forwarded by the probate judge of Cedar county, will clearly show. Hence your committee would recommend the passage of the accompanying bill, entitled, 'An act for the forcible assessing and collection of taxes.'

W. WOODRUFF, Chairman."

The report and bill, with accompanying documents, were read.

Councilor Woodruff, chairman of the committee on agriculture, trade and manufactures, presented a report from the president of the Deseret Agricultural and Manufacturing Society; also an accompanying report of the treasurer of that society, and "Resolution making an appropriation to the Deseret Agricultural and Manufacturing Society," which were read, and,

On motion of Councilor Geo. A. Smith, were referred back to the committee whence they emanated for further information.

Councilor Whiting presented petition from the citizens of North Bend, Sanpete county, signed by Andrew L. Siler and 18 other persons, praying for an appropriation of \$2000, for the purpose of improving the road through Spanish Fork kanyon, from Utah valley to Sanpete valley, which was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on roads, bridges, ferries and kanyons.

Journal read and approved.

On motion of Councilor Harrington, Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, County Court House,
G. S. L. City, Thursday, Jan. 3, 1861, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented petition of Henry W. Brizzee and 69 others, citizens of Summit county, praying for a county organization, which,

On motion of Mr. Nebeker, was referred to the committee on counties.

It will be observed that the returns are not full. This is to be regretted, but is doubtless mainly owing to the non-distribution of the laws of the last annual session of the Legislature. Many schools under city, and many under county regulations, have been and still are in successful operation, and, had they been reported, the abstract would have shown a prosperous condition of the educational interests of the Territory.

From the reports received, there does not appear to be a uniformity of text books in general use; those more extensively used are, Webster's Elementary Spelling Book, McGuffy's Series of Readers, Smith's Grammar, and Ray's Arithmetics. The advantage in uniform text books in schools is very great, and it is to be hoped that an understanding between the school officials and importers of books will be had which will effect that end.

The attention of county superintendents is called to the advantages of county educational conventions. These are necessary to the adoption of a uniform manner of conducting schools in the several counties, and will prove an indirect means of securing the services of none but qualified teachers.

A valuable property under the name of 'School lands' has been donated to the children of this Territory. It is to be hoped that this property will be preserved inviolate, and that, as soon as may be; these lands will be used for the purpose for which they were donated.

The construction of many commodious and substantial buildings for school purposes during the past year, is an evidence of an increasing interest in the important subject of education, and it may be confidently hoped that, at the next annual session, the Legislature will have a full report from the several organized sections of the Territory.

Respectfully submitted,

C. W. WANDELL,

Chairman of Committee.

On motion of Mr. Greene, the report was accepted.

The oldest bill on the table being called for, (H. F. No. 18) a bill for "An act amending certain acts therein named," was taken up on its third reading, and,

On motion of Mr. Rockwood, passed.

Said bill was read by its title and so passed.

(H. F. No. 21) a bill for "An act authorizing and requiring the Territorial librarian to procure and preserve on file certain printed matter," was taken up on its second reading, and,

On motion of Mr. Rockwood, was laid on the table indefinitely.

(H. F. No. 25) a bill for "An act for the protection of school lands," was taken up on its second reading, and,

On motion of Mr. Rockwood, the enacting clause was stricken out.

(H. F. No. 14) a bill for "An act constituting county jails, prisons, and for other purposes," was taken up on its second reading, and,

On motion of Mr. Stout, the enacting clause was stricken out.

(H. F. No. 23) a bill for "An act awarding damages for judgments taken to the Supreme court for delay," was taken up on its second reading by sections, and passed.

(H. F. No. 20) a bill for "An act concerning mining claims in Carson county," was taken up on its second reading by sections, and passed.

(H. F. No. 28) a bill for "An act concerning arrests," was taken up on its second reading and amended, and so passed.

(H. F. No. 26) a bill for "An act in relation to actions on official securities," was taken up on its second reading by sections, and passed.

The minutes were called for, read and accepted

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.



FRIDAY, JANUARY 4, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Friday, Jan. 4, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor George A. Smith, Councilor Ray was elected President *pro tem.*, and took the chair.

Prayer by the Chaplain.

The following communication was read:

SECRETARY'S OFFICE, }
Great Salt Lake City, Jan. 3, 1861. }

HON. D. H. WELLS, PRESIDENT OF THE COUNCIL:

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE:

GENTLEMEN:—The Memorial to Congress "for the establishment of a weekly mail route and service thereon, from Provo City, via Provo kanyon, Cascade mills, Wall's ranch, Rattlesnake creek,

Heber city, Sessions' springs, Ross' grove, Kamas' prairie, Spring grove, Silver creek, White Clay creek, Echo kanyon, Hennefer's ranch, Simons' Weber valley, Thurston's ranch, Spaulding's mills and East Weber to Ogden city, etc.

The Memorial to Congress, recommending that a weekly mail route be established from Salt Lake city, via Spencer's ranch, Black rock, Huntsman's point, E. T. city, Richville, Bates' ranch, Tooele city and Grantsville, in Tooele county, to Johnson's Fort in Shambip county, etc., etc., and that immediate service be placed on said route.

The Memorial to Congress for the construction of a railroad from some point on the Missouri river, by way of either the Box Elder or Lodge Pole creek pass, in the Black Hills, Bridger's Pass in the Rocky mountains, Timpanagos, or Provo river, and the most practicable pass in the Sierra Nevada mountains to Sacramento, California, etc., also.

The Resolution authorizing and requiring the public printer to print and publish in pamphlet form, five hundred copies of the journals of this, the tenth annual session of the Legislative Assembly, said journals to include the Governor's Message and Proclamation, and the Territorial Auditor's and Treasurer's reports have received his Excellency's assent. The Memorials have been forwarded to the Hon. W. H. Hooper, for presentation to Congress.

I am, Gentlemen,

Your obedient servant,

FRANCIS H. WOOTTON,

Secretary of the Territory."

Councilor Woodruff, chairman of the committee on agriculture, trade and manufactures, presented, as amended, the reports of the president and treasurer of Deseret Agricultural and Manufacturing Society; also,

"Resolution, making an appropriation to the Deseret Agricultural and Manufacturing Society."

The reports and resolution were read, and, after discussion,

On motion of Councilor Farr, Councilor Woodruff had leave to withdraw the resolution.

On motion of Councilor Carrington, the editors of the *Deseret News*, and *Mountaineer* were requested to publish the reports of the president and treasurer of the Deseret Agricultural and Manufacturing Society, as matters of public interest.

The following message was received from the House:

"JANUARY 3, 1861.

"The inclosed bill (H. F. No. 18) entitled 'An act amending certain acts therein named' has passed the House of Representa-

tives, and is now respectfully submitted for your concurrence."

The bill (H. F. No. 18) was read as received from the House, and,

On motion of Councilor Farr, was referred to the committee on judiciary.

The following message was received from the House:

"The following bills have passed the House of Representatives, and are now sent to your Honorable body for concurrence, namely:

(H. F. No. 20) 'An act concerning surveys of mining claims in Carson county.'

(H. F. No. 23) 'An act awarding damages on judgments taken to the Supreme court for delay.'

(H. F. No. 26) 'An act in relation to actions on official securities.'

(H. F. No. 28) 'An act concerning arrests.' "

The bills (H. F. No. 20, 23, 26 and 28) were read and laid on the table to come up in their order.

Councilor Farr, presented (C. F. No. 4) "An act to incorporate the Carson Quartz Mill Company," which was read, and,

On motion of Councilor Woodruff, was referred to the committee on incorporations.

Councilor Farr also presented,

(C. F. No. 5) "An act to charter the Virginia, Washoe and Steamboat valley Railroad Company," which was read, and,

On motion of Councilor George A. Smith, was referred to the committee on incorporations.

(H. F. No. 20) "An act concerning surveys of mining claims in Carson county" was called up, read, and,

On motion of Councilor Woodruff, was referred to the committee on judiciary.

(H. F. No. 23) "An act awarding damages on judgments taken to the Supreme court for delay," was called up, and read, and,

On motion of Councilor Farr, was referred to the committee on judiciary.

(H. F. No. 26) "An act in relation to actions on official securities" was read, and,

On motion of Councilor George A. Smith, was referred to the committee on judiciary.

(H. F. No. 28) "An act concerning arrests," was read, and,

On motion of Councilor W. R. Smith, was referred to the committee on judiciary.

The documents accompanying the report from the committee on revenue made yesterday were called up for consideration, and,

On motion of Councilor George A. Smith, were ordered to be spread on the journals as follows:

"FORT CEDAR, Dec. 24, 1860.

HON. W. WOODRUFF, CHAIRMAN OF THE

COMMITTEE ON REVENUE, ETC.:

SIR:—In compliance with your favor of the 19th inst., I have the honor to submit the following as being the facts, leaving you and the honorable councilors to form your own conclusions as to the causes and reasons why the taxes in Fairfield have not been collected as the law provides.—Yours truly,

Z. SNOW.

Statement of the Facts:

January 28th, 1859.—I having commenced my official business in this county, called a county court, which convened, and Mr. James Rodeback, who had before been appointed assessor and collector of the county of Cedar, took the oath and gave the bond required by law.

On the 7th of March following, the County court ordered a tax to be levied and collected as provided by law.

June 6, 1859, the assessor and collector made his report of the assessment to the County court, and among other things laid before the court an order of Col. C. F. Smith, post commander, the substance of which was, that no tax should be levied or collected on any property, no matter to whom it might belong, within the military reserve. Fairfield and Fort Cedar were excluded from this reserve.

This caused a lengthy correspondence, which was reported to His Excellency the Governor and to the Legislative Assembly last winter.

At the same session, June 6th, 1859, the assessor and collector reported the names of several persons residing in Fairfield, who refused to be assessed, etc.; upon this Devereaux Goodale, prosecuting attorney, was ordered to look into the facts, and institute such proceedings against all such persons as the law prescribes. But no legal steps were ever taken by him, for the reason, as he said, they agreed to pay their taxes.

At the December session of the County court, A.D. 1859, Mr. James Rodeback was re-appointed assessor and collector, and ordered to proceed with the delinquent tax list, and to make an assessment for the year 1860.

March 5th, 1860.—The taxes not being collected, the County court made the following order:—"It is ordered that the assessor and collector proceed forthwith to make an assessment of the taxable property in the county, as prescribed by law, and that from

those who will be likely to move out of the county before the assessment is complete, he collect one-half of one per cent. for county purposes, and for Territorial purposes, the amount prescribed by law, being one-half of one per cent.

"It is further ordered that the assessor and collector proceed forthwith to collect the delinquent tax of 1859, with 10 per cent. penalty of all those who pay without a distress and sale of property, and of those who will not pay without a distress and sale of property, that he collect 25 per cent. penalty, together with the costs of collecting it; and if need be, he take with him the power of the county to enforce said collection."

At our last session the matter was talked over, but it was not thought best to make any formal order, being of the opinion none was needed. It was, however, understood that further efforts would be made to collect the taxes.

You perceive that the foregoing is the direct action of the County court, as appears from its journal. I now proceed to state facts, most of which are within my personal knowledge, though not properly matters to appear in a court journal. Fairfield, when I came to this county was settled mainly with army followers, and such it continued to be settled with until last June, when a large portion of them left. All these were hostile to the enforcement of the law, except when they wanted its benefits. The number of settlers there, including this floating population, was much greater than all the rest of the county.

The federal judges and the army seemed to favor them, or, at least, seemed hostile to the laws of Utah. I had seen by the acts of the Legislative Assembly, and by conversing with others, friends of this government, that it was thought best to pursue conservative measures towards them, so I pursued a like course. In June last many of the army and army followers left. The County court then thought it a good time to commence enforcing the law relating to collecting taxes and the sale of liquor; so suits were commenced against some of the most prominent dealers in liquor for selling without license. As soon as these were served with process, a meeting was called there, and resolutions passed, a copy of which I herewith furnish you.

These resolutions were certified to the Governor and his advice taken. At the August election there were polled in Fairfield 128 votes, all of which were cast for those whose names were on these resolutions.

I again called on His Excellency A. Cumming and certified these facts to him. It was agreed between us that if these men would pay their taxes they should have the offices to which they had been elected. I then wrote to them to that effect, and also wrote

Mr. James Rodeback to go and make the assessment; but he did not succeed, so I have taken his affidavit, which I now read you.

At the last session of the County court, these matters were talked over, and it was thought best not to fill any offices by appointment for that place; so they are now without officers.

I have retained copies of all the correspondence on this subject, but I do not think a y light will be gained by sending copies to you, as this statement contains the substance of the whole.

Most respectfully, yours,

Z. Snow."

"UTAH TERRITORY, }
Cedar county. } ss.

Be it remembered, that on this 24th day of December, 1869, before me, Z. Snow, Probate Judge within and for the county of Cedar and Territory of Utah, personally appeared James Rodeback, who I certify is a credible witness, and who is the assessor and collector of the county of Cedar, and was by me sworn in due form of law, and on his oath did say that as assessor and collector of Cedar county, Utah Territory, he on or about the day of February, A.D. 1859, went to Fairfield precinct to make an assessment of the property in that place, and when there he attempted to enter on his duties, when this was known a mob gathered round him, prevented him from discharging any of his duties as such assessor.

The said Fairfield was then settled by a floating population, chiefly being army followers, some of whom were known to be desperadoes. He farther says that soon after this he informed Mr. Z. Snow of what had taken place, and he insisted that an assessment should be made there and advised this affiant to make it by a deputy for if they, the inhabitants, could not be approached by one man another must be tried.

He therefore sought for a deputy, and none could be found who would undertake the duties but R. Keith Johnson, who was a man not easily bluffed off. He accordingly appointed him deputy. In this way he made the assessment, but before the time of collecting the tax; Johnston got into difficulty and left for California. By this time it had become well understood that he could not collect the taxes there except by a deputy. He therefore again sought a deputy and found a Mr. Kirk, who would undertake it if Judge Eckles said the taxes could be collected, but not without. A short time afterward he again saw Mr. Kirk, who informed him that he had talked with Judge Eckles on the subject, and that Judge Eckles said he could not see why the taxes could not be collected. Accordingly Mr. Kirk was appointed deputy, but he never succeeded

in collecting any taxes as this affiant finally believes at any rate, he left in June last, without ever reporting any taxes collected. In this position matters stood until July last, when an effort was made to enforce the law relating to the sale of liquor. So soon as this was done the people met and passed sundry resolutions agreeing to resist the execution of the law relating to the sale of liquor, and the collection of taxes.

These resolutions were sent to Z. Snow, Probate Judge, and by him shown to this affiant.

In August last, at the election held in Fairfield. All the legal or illegal votes polled was cast for men whose names were on those resolutions. As this showed a singular state of affairs, Mr. Z. Snow invited those men with this affiant, and several more men of his friends in this Fort Cedar, to come to his house, take supper and have a little talk together on the subject of the election, and those resolutions. Myself and Mr. Snow's friends in this Fort attended, but none of those men came, so no talk was had. Mr. Snow then requested this affiant to wait until the views of the Governor could be obtained.

Accordingly this affiant did not move forward until he got news from Mr. Snow relating to the Governor's views. This letter was written from Great Salt Lake City, in September last. It requested me to go to Fairfield and make an effort to make an assessment and to collect taxes. On the receipt of this letter this affiant went to Fairfield on this business, and as Judge Moore was one of the men whose names was on the resolutions, and who had been voted for a Selectman of the county, and expected to be one, I commenced on him. He replied to me "I will be damned if we are going to pay any taxes, you may rest assured of that; instead of us paying taxes, the county ought to pay us thirty thousand dollars for roads and bridges which we have built," and then as he refused to be assessed I left him. I do not think I was safe in that settlement when there on that business.

JAMES RODEBACK.

Subscribed and sworn to before me this 24th day of December, 1860.

Z. SNOW, Probate Judge.

Copy of Resolutions.

At a meeting of the citizens of Fairfield, held in that town on the evening of the 13th of July, 1860, the following resolutions were adopted:

Whereas, a summons has been issued by the county courts of Cedar county, ordering sundry persons, merchants doing business

in this town, to attend the county court at Cedar Fort, to show why execution should not be issued against them for not taking out a licence for the sale of liquors.

Now, therefore, be it resolved, that it is the sense of this meeting, that the county court of Cedar county is not justified in endeavoring to collect a licence for selling liquor, and a tax on selling merchandise; and furthermore, that they, one and all, do utterly refuse to pay anything in the shape of licence or tax, or acknowledging the authority of the county or Probate court, for Cedar county, nor this place, for the following reasons, viz:

The town of Fairfield has been built principally by the members of this meeting. Since it has been established, no protection has been afforded by the county authorities, to either life or property; no improvements have been made by the county authorities. The citizens of Fairfield have built their own bridges, made their own roads, and all other improvements, without receiving any aid from the County in which this place is located.

Resolved, further, that we will resist any attempts to enforce taxes in this place.

SIGNED.

T. P. McMannus,
Henry Cabot,
J. Ryan,
James Flynn,
Jacob Dayman, his X
Charles Salkeinson,
T. J. Harper,
B. A. Spencer,
W. Moore,
Geo. H. Crossman, jr.,
Charles R. Subbins,
John A. Leshener,
John Chislett,
John B. Featherstone,
Charles Lemon,
James King,
Joseph R. Walker,
Charles Henry,
Frank Stephens,
John Shea,
T. Reymont,
M. Macuaeaea, L.D.,
Joe Dugont, his X
I. H. Barnes,
Thomas Donne,
Frank Smith.

William Smith,
W. Goodwin,
Wm. Clark,
O. Sidney, L. D.,
Henry Snider,
Geo. Coleman,
J. N. Henry,
Charles French,
Pat Lynch,
John Robinson,
George Kelly,
Lyman G. Hodge,
A. Thorne,
Charles A. Gressler,
H. Tatternald,
E. T. Willis,
A. Golasew,
Geo. A. Barrow,
Thomas Smith,
Jeff Anthony,
J. Jones,
David Stevens,
John Thomas,
Henry Harrison,
C. W. Long.

P. S.—Of the foregoing names,

Mr. W. Moore	had	128	votes for	Selectman.
" J. Ryan,	"	128	"	Constable.
" John A. Leshener,	"	128	"	Justice of the Peace.
" T. J. Harper,	"	127	"	Recorder.
" Frank Stephens,	"	128	"	Sheriff.
" Joseph R. Walker.	"	128	"	Superintendent of Common Schools.
" Thomas Drum,	"	128	"	County Treasurer,

and all polled in Fairfield, but none received certificates.

Suits for violating the liquor law had been commenced against Mr. Moore, Joseph R. Walker, and Thomas Drum. Z. S.

Journal read and approved.

On motion of Councilor Woodruff, Council adjourned till Monday next, at one p.m.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Friday, Jan. 4, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented petition of Philander Bell, praying for an appropriation in his favor in consideration of supplies furnished the expedition against the Indians in Utah county, in 1858, which was read, and,

On motion of Mr. Bullock, referred to the committee on claims and appropriations.

Mr. Smith, chairman of committee on counties, to whom was referred the petition of 33 persons, inhabitants of Manti, Sanpete county, praying for the removal of the county seat of said county, reported that they find that large settlements are now being made in the southern portion of the county, and that Manti will eventually be the most central locality in the county; therefore, said committee deem it impolitic to remove the county seat.

On motion of Mr. Rockwood, the report was accepted.

The business on the table was called for, when (H. F. No. 23) a bill for "An act awarding damages on judgments taken to the Su-

preme court for delay," was taken up on its third reading and passed.

The bill was read by its title and so passed.

(H. F. No. 20) a bill for "An act concerning mining claims in Carson county," was taken up on its third reading and passed.

The bill was read by its title, and,

On motion of Mr. James, the title was amended to read: "An act concerning surveys of mining claims in Carson county," and so passed.

(H. F. No. 28) a bill for "An act concerning arrests;" was taken up on its third reading, and passed.

On motion of Mr. Haight, the bill was read by its title and so passed.

(H. F. No. 26) a bill for "An act in relation to actions on official securities," was taken up on its third reading, and,

On motion of Mr. Thurber passed.

Said bill was also read by its title, and so passed.

(H. F. No. 14) a bill for "An act constituting the county jail of Carson county as a branch penitentiary of the Territory of Utah," was taken up and read, and,

On motion of Mr. Bigler, passed its first reading.

On motion of Mr. Bullock, 65 copies of said bill were ordered to be printed.

Mr. Wandell moved, that the committee on public domain and school lands be instructed to inquire into the constitutionality of a bill for an act for the protection of the school lands in this Territory; and, if constitutional to bring in a bill for an act to protect said lands. Seconded and carried.

Mr. Stout moved, that the committee on militia be instructed to re-consider the subject of the quota of public arms due from the United States to Utah; and report by bill or otherwise, as to the kind and quality of arms to be drawn; also, how and by what means the same can be done. Seconded and carried.

Mr. Peacock presented (H. F. No. 29) a bill for "An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases," which was read, and,

On motion of Mr. Hatch, referred to the committee on judiciary. The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

SATURDAY, JANUARY 5, 1861.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,)
Saturday, Jan. 5, 1861, 10 a.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Crosby presented petition of Sextus E. Johnson and 35 others, residents of the Upper Rio Virgen valley, for an appropriation to be expended on the road leading from the Washington road, by Toquerville and Virgen city, to Grafton; which was read, and,

On motion of Mr. Moody, referred to the committee on roads, &c.

Mr. Crosby presented petition of R. D. Covington and 53 others, citizens of Washington county, asking for an appropriation to be expended in making a road running down or near the Virgen river, in said county; which was read, and,

On motion of Mr. Stout, referred to the committee on roads, etc.

Mr. Thurber presented petition of David Shakespear and 67 others, citizens of Spanish Fork city, asking that the time of holding the municipal or city elections in said city be changed from the first Monday of May, 1861, to the second Monday of February, 1861; which was read, and,

On motion of Mr. Bigler, referred to the committee on elections.

Mr. Benson presented memorial of Peter Maughan and 84 others, citizens of Cache valley, representing that the present line separating Box Elder and Cache counties is very indefinite, and praying that the dividing line between said counties may be made, the dividing ridge lying between Cache valley and Box Elder county; which was read, and,

On motion of Mr. Bigler, referred to the committee on counties; to which committee Mr. Benson was added, on the consideration of said memorial.

Mr. Rockwood presented bills of Wm. Marsden and Wm. M. Wall for services rendered attending special committee appointed to inquire into the affairs of the Provo kanyon road company, which were read, and,

On motion of Mr. Bullock, referred to the committee on claims and appropriations.

Mr. James presented (H. F. No. 30) a bill for "An act to incorporate Virginia city," which was read, and,

On motion of Mr. Benson, referred to the committee on incorporations.

Mr. Stout presented (H. F. No. 31) a bill for "An act amending 'an act incorporating Great Salt Lake City;'" which was read, and,

On motion of Mr. Moody, passed its first reading.

Mr. West, chairman of committee on revenue, to whom was referred the motion of Mr. Thompson, on the 19th Dec. ult., reported, that they had called on the Territorial treasurer with regard to the bills receivable and wheat on hand, as specified in his report of Nov. 1st, 1860, and ascertained that the bills receivable are promissory notes, subject to be cancelled at any time; the wheat is in the extreme southern settlements, it having been taken on taxes in the years 1856-7, at one dollar per bushel, and it can be had at the same price, adding the expense of storage.

On motion of Mr. Rockwood, the report was received and the committee discharged from further duties on that subject.

Mr. Peacock, chairman of committee on library, reported that they had examined the library and found the same in good order, and the books properly and conveniently arranged, and for further information presented the following:

REPORT OF THE LIBRARIAN.

"TO THE HON. COMMITTEE OF THE HOUSE OF
REPRESENTATIVES ON PUBLIC LIBRARY:

GENTLEMEN:

I submit to your inspection, the following list of books in the library, viz.:

Books according to catalogue	2,761
Books out on loan to readers	154
Tracts, pamphlets, speeches, etc., with and without Nos.	388
Senate, Assembly, Congressional, and Executive documents,	418
Annals of Congress, Senate Reports, etc., (loaned for want of room,)	87
Total number of books,	8808.

This year forty-two volumes, included in the above list, have been returned. Supposed to be lost. I have made inquiry, verbally, and by letter, respecting others on the missing list; but find the persons to affirm that they have no library books.

One hundred and thirteen Annals of Congress documents, reports, etc., were forwarded from Washington, per Miller and Russell's express, this year. There is in the library, fifty-six school books; such as 1st, 2d, and 3d Readers; Elements of Grammar,

Geography, Arithmetic, French, Italian, and English Readers.—Also three Bibles, and ten Common School Testaments, which are of no account to adult readers. These I would recommend to be issued in the name of a School Library, sold or disposed of to the poor, as your Honorable Assembly may think proper.

Fifty volumes are laid aside, out of repair, and cannot be issued, until bound.

One volume of the Queens of England, missing in last year's report, has been returned.

These remarks, with the above inventory, I submit to your consideration.

Yours Respectfully,

JOHN LYON, Librarian."

On motion of Mr. Stout, the report of the committee on library, and the librarian's report were accepted.

Mr. Smith, chairman of committee on counties, to whom was referred the petition of Henry W. Brizzee, and 37 others, citizens of Summit county, praying for a county organization, reported that they had taken the matter into consideration and recommended that a probate judge and notary public be appointed by this assembly, and that they be instructed to locate the county seat of said county, and appoint the necessary officers to complete the county organization;

On motion of Mr. Rockwood, the petition was laid on the table indefinitely.

Mr. Stout, chairman of committee on judiciary, reported back, (H. F. No. 29) a bill for "An act authorizing and empowering the secretary of the Territory to receive and collect fees in certain cases," which was read, and,

On motion of Mr. West, passed its first reading.

Mr. West presented (H. F. No. 32) a bill for "An act incorporating Ogden city," which was read, and,

On motion of Mr. McGaw, the bill passed its first reading, and was referred to the committee on judiciary.

The minutes were called for, read and accepted.

On motion the House adjourned till Monday at ten a.m.
Benediction by the Chaplain.

MONDAY, JANUARY 7, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Monday, Jan. 7, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor Woodruff, Councilor Harrington was elected President *pro tem*.

Prayer by the Chaplain.

Councilor John T. Hardy, in behalf of the committee on counties, made the following report:

"Your committee, to whom was referred a petition from the citizens of Fountain Green, in Sanpete county, praying for the county seat of said county to be removed, and to locate the same at Moroni, have carefully considered the subject, and after mature deliberation, beg leave to report that, in the opinion of your committee, such a change at the present, would be premature, and therefore respectfully ask to be relieved from further consideration of the matter."

On motion of Councilor Woodruff, the report was accepted and the committee discharged from further duties on the subject.

Councilor Geo. A. Smith presented (C. F. No. 6) "An act providing for appeals to the Supreme court."

The bill was read, and,

On motion of Councilor Wm. R. Smith, was referred to a special committee, composed of Councilors Ferguson and Ray; with instructions to give it their attention and to report at an early day.

Councilor Geo. A. Smith, in behalf of the committee on judiciary, to whom was referred (C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory," reported favorably to the bill and recommended its passage.

On motion of Councilor Ray, the report was accepted and the bill placed on its first reading.

The bill was read the first time, and,

On motion of Councilor Hardy, passed to its second reading, and was laid over till to-morrow.

Councilor F. D. Richards presented "Memorial for the admission of the State of Deseret into the Union," which was read, and,

On motion of Councilor Woodruff, was referred to the committee on petitions and memorials.

Councilor Snow, chairman of the committee on roads, bridges, ferries and kanyons, made the following report:

"The committee, to whom was referred the petition of citizens of Cache county, requesting an appropriation of \$1500 for road purposes, recommend that the committee on appropriations be instructed to include in the Territorial Appropriation Bill the sum of \$750, to be expended, under the direction of Judge P. Maughan, in improving the road between the west end of Box Elder valley, and the point where it leads into Cache valley."

The report was accepted, and,

On motion of Councilor George A. Smith, the committee on appropriations were instructed to include the appropriation referred to in the Territorial Appropriation Bill.

Councilor Woodruff presented 'The report of the Territorial librarian,' which was read, and,

On motion of Councilor Whiting was referred to the committee on library.

The following was received from the House:

"The inclosed bills (H. F. No. 7) 'An act in relation to the Supreme court,' and (H. F. No. 32) 'An act incorporating Ogden city' have passed the House of Representatives, and are now respectfully submitted to your honorable body for concurrence."

(The bill H. F. No. 7) entitled "An act in relation to the Supreme court" was read, and,

On motion of Councilor George A. Smith, was referred to the special committee of Councilors Ferguson and Ray.

Journal read and approved.

On motion of Councilor Farr, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City. }
Monday, January, 7, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion of Mr. Moody, Mr. Rockwood was elected speaker *pro tem*.

Prayer by the Chaplain.

Mr. Woolley, of the committee on Penitentiary, to whom was referred the motion of Mr. Stout, instructing the committee to inquire into the expediency of changing the present system of the Penitentiary, so that the keeping thereof may be let to the lowest responsible bidder, reported that they had taken the subject into consideration, and submitted the accompanying bill, entitled "An act further defining the duties of the officers of the Penitentiary, and for other purposes."

On motion of Mr. Bullock, the report was received and the bill laid on the table to come up in its order.

Mr. Stout, chairman of committee on judiciary, to whom was referred the "Act incorporating Ogden city," reported that they had examined the same, and after making some few immaterial amendments, recommended its passage.

On motion of Mr. Bullock, the report was accepted, and the bill laid on the table to come up in its order.

Mr. West, chairman of committee on public domain, to whom was referred the motion of Mr. Wandell in regard to school lands, reported that they had taken the subject into consideration, and deem legislation upon the same impolitic, at present.

On motion of Mr. Bullock, the report was accepted, and the committee discharged from further duties on that subject.

Mr. James presented,

(H. F. No. 34) a bill for "An act concerning the office of county surveyor in Carson county," which was read, and,

On motion of Mr. Long, passed its first reading.

The business on the table being called for, the chairman of the committee on engrossing, reported back,

(H. F. No. 7) a bill for "An act in relation to the Supreme court," which was taken up on its third reading, and,

On motion of Mr. Long, passed.

The bill was read by its title, and so passed.

(H. F. No. 29) a bill for "An act authorizing and empowering the secretary of the Territory to receive and collect fees in certain cases," was taken up on its second reading by sections, and,

On motion of Mr. Bigler, passed.

(H. F. No. 31) a bill for "An act amending an act incorporating Great Salt Lake City, approved Jan. 20, 1860," was taken up on its second reading, and,

On motion of Mr. Long, passed.

(H. F. No. 32) a bill for "An act incorporating Ogden city," was taken up on its second reading, by sections, and,

On motion of Mr. West, the bill passed.

On motion of Mr. McGaw, the rules of the House were suspended and the bill passed its third reading.

The bill was read by its title and so passed.
(H. F. No. 33) a bill for "An act further defining the duties of the officers of the Penitentiary, and for other purposes," was taken up and read, and,

On motion of Mr. Long, passed its first reading.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

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THURSDAY, JANUARY 8, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Tuesday, Jan. 8, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor George A. Smith, Councilor Harrington was elected President *pro tem*.

Prayer by the Chaplain.

Councilor Carrington, chairman of the committee on judiciary made the following report:

"Your committee, to whom was referred 'An act amending certain acts therein named,' herewith return said act with amendments, and recommend that the Council concur with the House in its passage; provided the House concur in the amendments made by the Council. The suggested amendments are pencilled on the bill"

The bill (H. F. No. 13) "An act amending certain acts therein named," was read as amended.

Councilor Carrington, chairman of the committee on Judiciary, made the following report:

"Your committee, to whom was referred (H. F. No 20) 'An act concerning surveys of mining claims in Carson county,' herewith return said act, and respectfully recommend that the Council concur with the House in its passage."

Councilor Carrington, chairman of the committee on Judiciary, made the following report:

"Your committee, to whom was referred (H. F. No. 23) 'An act awarding damages on judgments taken to the Supreme court for delay,' herewith return said bill, and respectfully recommend that the Council do not concur with the House in its passage."

Councilor Ray made the following report:

"Your special committee to whom was referred (H. F. No. 7) 'An act in relation to the Supreme court' beg leave to report that they have carefully examined said act, and recommend that the Council concur therein."

Councilor Geo. A. Smith, chairman of the committee on petitions and memorials, made the following report:

"Your committee to whom was referred a 'Memorial to Congress for the admission of the State of Deseret into the Union,' beg leave to report that they have given said memorial a careful examination, and recommend its adoption."

Councilor Farr, chairman of the committee on claims and appropriations, made the following report:

"Your committee on claims and appropriations, to whom was referred a communication from Hon. F. H. Wooten, Secretary of the Territory, in behalf of his Excellency, Governor Cumming, and an accompanying petition of Wm. H. Kimball, and John Spriggs, who claim to have discovered a good coal mine, over eighteen inches thick, within forty miles of Great Salt Lake City, which can be profitably worked: beg leave to report that according to request of his Excellency, Governor Cumming, we have examined into the matter, and find by the report of J. W. Fox, Surveyor General of the Territory of Utah, made Dec. 20, 1859, (Journals '59-60, page 32) that the said coal mines discovered by the said William H. Kimball and John Spriggs, is a distance of 51.27 miles from Great Salt Lake City, and therefore the above named parties are not of right entitled to the reward offered by the Legislative Assembly by virtue of a resolution, approved January 14, 1854; and we are led to believe from reliable information before us that the report of Mr. Fox is quite correct; and furthermore your committee suggest the repeal of the above named resolution and for that purpose recommend the adoption of the accompanying resolution."

The resolution referred to was read.

Councilor Farr, chairman of the committee on incorporations, to whom was referred [C. F. No. 4.] "An act to incorporate the Carson quartz mill company," reported favorably to the passage of said act as amended.

The bill was read as amended.

The following message was received from the House:

"The inclosed bills, [H. F. No. 29] 'An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases,' and [H. F. No. 31] 'An act amending an act in-

incorporating Great Salt Lake City, approved Jan. 20, 1860, have passed the House of Representatives, and were submitted to your honorable body for concurrence."

The bills [H. F. No. 29 and 31] as received from the House, were read, [C. F. No. 7] "An act for the forcible assessing and collection of taxes," being the latest bill on the table, was called up, and passed its first reading.

[H. F. No. 32] "An act incorporating Ogden city" was called up, read, and,

On motion of Councilor Farr was placed on its second reading by sections.

Sections one to twelve inclusive, passed, and,

On motion of Councilor George A. Smith, the 13th section was referred to the committee on incorporations for amendment.

The 14th section was read, and,

On motion of Councilor George A. Smith, the words "or deputy" were stricken out; and,

On motion of Councilor Ray, the words "or other legal officer," were inserted; in lieu thereof.

On the reading of the 16th section,

On motion of Councilor George A. Smith, the bill was referred to the committee on incorporations,

[C. F. No. 3] was taken up, and,

On motion of Councilor Ray was made the order of the day for to-morrow.

(H. F. No. 18) "An act amending certain acts therein named," was taken up, read, and passed to its second reading,

On motion of Councilor George A. Smith, the bill passed its second reading,

On motion of Councilor Ray, the bill was read the third time by its title, so passed, and sent to the House for concurrence in the amendments made by the Council.

[H. F. No. 20] "An act concerning surveys of mining claims in Carson county" was taken up, read, and,

On motion of Councilor Farr, was passed to its second reading, by sections.

The bill was so read, and,

On motion of Councilor George A. Smith, was read the third time and ordered to be returned to the House, concurred in.

(H. F. No. 23) "An act awarding damages on judgments taken to the Supreme court for delay" was taken up on its second reading, read, and,

On motion of Councilor Hardy, was not concurred in, and ordered to be so returned to the House.

On motion of Councilor George A. Smith, the "Memorial to Congress for the admission of the State of Deseret into the Union," was called up, read, and,

On motion of Councilor Woodruff, the memorial was adopted. and ordered to be sent to the House for concurrence.

Journal read and approved.

On motion of Councilor Ray, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Tuesday, Jan. 8, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented, bill of Moses Mecham, for services rendered attending the House special committee on the 'Provo kanyon road' affairs, which was read, and,

On motion of Mr. Bullock, referred to the committee on claims and appropriations.

Mr. Greene presented, "Petition of W. G. Young and 59 others, asking for the repeal of an ordinance passed by the Legislative Assembly of the State of Deseret, and approved Jan. 9, 1851," which was read, and,

On motion was referred to the committee on roads, etc.

Mr. Wandell presented,

(H. F. No. 35) a bill for "An act to prevent the commission of crime," which was read, and,

On motion of Mr. Bullock, passed its first reading.

Mr. Bullock presented,

(H. F. No. 36) a bill for "An act amending an act regulating the mode of procedure in criminal cases," which was read, and,

On motion of Mr. Wandell, passed its first reading.

Mr. Smith presented,

(H. F. No. 37) a bill for "An act to amend an ordinance incorporating Parowan city, and 'An act incorporating Cedar city," which was read, and,

On motion of Mr. Bullock, passed its first reading.

Mr. Thurber presented,
Memorial to Congress for the preservation of the Union, which was read, and,

On motion of Mr. Moody, referred to a special committee.

The Speaker appointed Messrs. Thurber, Wandell, and West said committee.

Mr. Woolley, chairman of the committee on agriculture, etc., to whom was referred the Resolution in relation to a copper mine, reported the same back with an amendment, which being read as amended,

On motion of Mr. Rockwood, the resolution was laid on the table to come up in its order.

Mr. James presented,

(H. F. No. 39) A bill for "An act to legalize certain surveys in Carson county," which was read, and,

On motion of Mr. Moody, laid on the table to come up in its order.

The business on the table being called for,

(H. F. No. 29) a bill for "An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases" was taken up on its third reading, and,

On motion of Mr. Wandell, passed.

The bill was read by its title and so passed.

(H. F. No. 31) a bill for 'An act amending an act, incorporating Great Salt Lake City, approved Jan. 20, 1860,' was taken up on its third reading, and,

On motion of Mr. Thurber, passed.

The bill was read by its title and so passed.

[H. F. No. 34] a bill for "An act concerning county surveyor in Carson county," was taken up on its second reading, and amended, so as to extend the provisions of the act to all the counties in the Territory.

On motion of Mr. Rockwood, the bill passed its second reading, as amended.

[H. F. No 33] a bill for "An act further defining the duties of the officers of the Penitentiary and for other purposes," was taken up on its second reading by sections, and amended, and,

On motion, passed its second reading.

[H. F. No. 27] "Resolution offering a reward for the discovery of a copper bed within a certain distance of Great Salt Lake City," was taken up and read, and,

On motion of Mr. Rockwood, passed its first reading.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 9, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Wednesday, Jan. 9, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor George A. Smith, Councilor Harrington was elected President *pro tem*.

Prayer by the Chaplain.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

"Your committee, to whom was referred (H. F. No. 26) 'An act in relation to actions on official securities,' return said act with amendments, and recommend its passage as amended."

The bill was read as amended.

Councilor Carrington, chairman of the committee on judiciary made the following report:

"Your committee, to whom was referred (H. F. No. 9) 'An act in relation to forms of action in civil cases and the parties thereto,' return said act with the recommend that the Council do not concur with the House in its passage, but that they substitute in its stead the accompanying act (C. F. No. 8) 'An act in relation to abatement in civil actions.'"

The accompanying bill [C. F. No. 8] was read,

[C. F. No. 3] "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory," was taken up on its second reading, read, and,

On motion of Councilor George A. Smith, was referred to the committee on judiciary for further amendments.

The following message was received from the House:

"The House of Representatives has concurred with your Memorial to Congress for the admission of the State of Deseret into the Union," which is herewith respectfully returned.

The House has passed the following bills [H. F. No. 33] 'An act further defining the duties of the officers of the penitentiary, and for other purposes,' and

[H. F. No. 34] 'An act concerning county surveyors,' which are herewith sent to your honorable body for concurrence."

Journal read and approved.

On motion of Councilor Carrington, Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Wednesday, Jan. 9, 1861, 1 p.m. }

House met pursuant to adjournment,

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the Council:

"The inclosed 'Memorial to Congress for the admission of the State of Deseret into the Union,' has been adopted by the Council and is now sent for the concurrence of the House.

Respectfully,

L. E. HARRINGTON,

President of Council *pro tem.*"

The Memorial was read, and,

On motion of Mr. Rockwood, the House concurred in its adoption.

The following message was received from the Council:

"Your bill (H. F. No. 20) entitled 'An act concerning surveys of mining claims in Carson county' is concurred in by the Council, and is herewith returned.

"Your bill (H. F. No. 33) entitled 'An act awarding damages on judgments taken to the Supreme court for delay' is also herewith returned, not concurred in by the Council."

The following message was received from the Council:

"Your bill (H. F. No. 18) entitled 'An act amending certain acts therein named' has passed the Council with certain amendments which are pencilled on the bill, and is now sent to the House for concurrence in the amendments."

The bill being read as amended,

On motion of Mr. Stout, the amendments were concurred in,

Mr. West, chairman of committee on revenue, to whom was referred the motion of Mr. Rockwood, of December 13, 1860, reported that they had conferred with the auditor of public accounts and compared the drafts with the appropriations and found them correct.

On motion of Mr. Rockwood, the report was received, and the committee discharged from further duties on that subject.

Mr. Clawson, chairman of the committee on claims and appropriations, to whom was referred the claim of Zimri H. Baxter and seventeen others for work done on the road in Salt creek canyon in the year 1852, reported that, having duly investigated said claims, they deem it inexpedient to legislate thereon.

On motion of Mr. Long, the report was received, and the committee discharged from further duties on that subject.

Mr. Smith, chairman of committee on counties, to whom was referred the petition of eighty-five signers, residents of Cache county, praying to have the boundaries of Cache county defined, reported that they had investigated the subject, and in view of granting the prayer of said petitioners, they reported the accompanying bill, entitled "An act defining the boundaries of Cache county," and recommended its passage.

On motion of Mr. Rockwood, the report was accepted and the bill laid on the table to come up in its order.

Mr. West, chairman of committee on revenue, to whom was referred the motion of Mr. Rockwood, on Dec. 15, 1860, reported that the county court of Utah county made, on the 27th December, 1860, a report to the Legislative Assembly as contemplated in said motion, which report was referred to a special committee to investigate all matters pertaining thereto, therefore the committee on revenue asked to be discharged from further duty thereon.

On motion, the report was received and the committee discharged from further consideration of that subject.

Mr. Benson, chairman of committee on elections, to whom was referred a petition from the citizens of Spanish Fork city, changing the time of their elections, reported the following bill, entitled, "An act to amend the fifth section of an act to incorporate Spanish Fork city."

On motion, the report was received, and the bill laid on the table to come up in its order.

Mr. James, chairman of committee on incorporations, to whom was referred a bill for "An act to incorporate Virginia city, in Carson county," reported the same back with amendments thereto, and recommended its passage as amended.

On motion of Mr. Rockwood, the report was received and the bill laid on the table to come up in its order.

Mr. Bigler presented

[H. F. No. 42] a bill for "An act to amend the charter of Great Salt Lake City," which was read, and,

On motion, laid on the table to come up in its order.

Mr. Clawson, chairman of the committee on claims, to whom

was referred the petition of the citizens of Beaver county, relating to the payment of taxes in said county, respectfully reported adversely to said petition.

On motion of Mr. Long, the report was received and the committee discharged from further consideration of the subject.

The business on the table being called for,

[H. F. No. 33] a bill for "An act further defining the duties of the officers of the penitentiary and for other purposes," was taken up on its third reading, and,

On motion of Mr. Crosby, passed.

The bill was read by its title and so passed.

[H. F. No. 34] a bill for "An act concerning county surveyors" was taken up on its third reading, and,

On motion of Mr. Long, passed.

The bill was read by its title and so passed.

[H. F. No. 27] "Resolution offering a reward for the discovery of a copper bed within a certain distance of Great Salt Lake City," was taken up, on its second reading and amended, and,

On motion of Mr. Stout, the bill did not pass.

[H. F. No. 35] a bill for "An act concerning proceedings to prevent the commission of crime;" was taken up on its second reading by sections, and amended, and,

On motions, passed.

Mr. Wandell presented a bill for "An act making lead and copper a tender for taxes," which was read, and,

On motion, passed its first reading.

[H. F. No. 36] a bill for "An act amending an act regulating the mode of procedure in criminal cases," was taken up on its second reading, and,

On motion of Mr. Woolley, the bill did not pass.

The minutes were called for, read and accepted

On motion, the House adjourned until to-morrow, at ten a.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 10, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Thursday, Jan. 10, 1861, 1 p.m. }

The Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor George A. Smith, Councilor Harrington was elected president *pro tem*.

Prayer by the Chaplain.

Councilor Farr, chairman of the committee on incorporations made the following report:

"Your committee on incorporations, to whom was referred a petition of the citizens of Logan, Cache county, praying for a city charter, to be granted them, respectfully report, that in the judgment of the committee, the laws passed by the Legislative Assembly, providing for the administration of justice in all parts of the Territory will best subserve their interests at present.

Your committee would further state that the heavy expenses attendant upon the carrying out of the various city charters already granted to small towns in different parts of the Territory have given rise to considerable dissatisfaction, and the probability is that if the minds of the citizens were consulted, the most of the city charters now granted would be repealed.

Your committee therefore report adversely to the petition, and ask to be discharged from further labor in the premises."

On motion of Councilor Ray, the report was accepted, and the committee relieved from further duties on the subject.

Councilor Farr, chairman of the committee on incorporations, made the following report:

"Your committee to whom was referred 'An act incorporating Ogden city,' ask leave to report back said bill with the following amendments:

Sec. 9, add, after the word 'recorder,' 'who shall be the auditor of public accounts.' Sec. 13, to read, after the word 'jurisdiction' in the fifth line, 'both in civil and criminal cases arising under the laws of the Territory,' and strike out the word 'such' in the seventh line."

Councilor Carrington, chairman of the committee on judiciary made the following report:

"Your committee, to whom was referred (C. F. No. 3) 'An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory,' return said act with amendments, and recommend its passage as amended."

The bill was read as amended.

On motion of Councilor Woodruff, the amendments were adopted in the bill.

On motion of Councilor Carrington, the bill was read the third time by its title as amended, viz., "An act in relation to the compilation and revision of the laws and resolutions now in force in

Utah Territory, and embodying certain amendments," so passed and ordered to be sent to the House of Representatives for concurrence.

The following message was received from the House:

"The House has concurred in your amendments to (H. F. No. 18) 'An act amending certain acts therein named.'

The House has passed the enclosed bill (H. F. No. 35) 'An act concerning proceedings to prevent the commission of crime,' which is now respectfully submitted for your concurrence."

(H. F. No. 7) "An act in relation to the Supreme court" was taken up, read, and passed its second reading.

On motion of Councilor Carrington, the bill was amended and passed to its third reading.

The bill was read by its title, passed, and ordered to be returned to the House for their concurrence in the amendments.

(C. F. No. 4) "An act to incorporate the Carson Quartz Mill Company," was taken up, read, and,

On motion of Councilor Wm. R. Smith, was read the second time, when,

On motion of Councilor Ferguson, the enacting clause was stricken out.

(H. F. No. 29) "An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases," was taken up, read, and,

On motion of Councilor Carrington, the bill was negatived, and ordered to be returned to the House not concurred in.

(H. F. No. 31) "An act amending 'an act incorporating Great Salt Lake City,'" approved Jan. 20, 1860, was taken up, read, and,

On motion of Councilor Geo. A. Smith, was placed on its second reading.

On motion of Councilor Farr, the bill was amended by striking out the words, "in cases under the ordinances of said city council."

On motion of Councilor Carrington, the bill passed its third reading, and ordered to be returned to the House, with a recommendation that the bill be incorporated into (C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments."

(C. F. No. 7) "An act for the forcible assessing and collection of taxes" was taken up on its second reading, and,

On motion of Councilor Ferguson, referred to the committee on judiciary.

(H. F. No. 26) as amended, "An act in relation to actions on official bonds and securities" was taken up on its second reading, read, and,

On motion of Councilor Ferguson, the bill was negatived, and ordered to be returned to the House not concurred in.

(H. F. No. 9) "An act in relation to forms of actions in civil cases and the parties thereto" was taken up, and,

On motion of Councilor Carrington, the bill was not concurred in, and was ordered to be so returned to the House.

The substitute for (H. F. No. 9) reported by the committee on judiciary (C. F. No. 8) "An act in relation to abatement in civil actions" was taken up, read, and,

On motion of Councilor Ferguson, passed to its second reading, read the second time and passed.

On motion of Councilor Farr, the bill passed the third reading by its title, and was ordered to be sent to the House for concurrence.

(H. F. No. 33) "An act further defining the duties of the officers of the Penitentiary and for other purposes" was taken up, read, and,

On motion of Councilor George A. Smith, was referred to the committee on judiciary.

(H. F. No. 34) "An act concerning county surveyors" was taken up, read, and,

On motion of Councilor George A. Smith, was referred to the committee on counties.

The "Resolution to repeal a resolution, offering a reward for the discovery of a coal bed near Great Salt Lake City," was taken up, read, and,

On motion of Councilor Carrington passed to its second reading, read the second time, and,

On motion of Councilor Ferguson, passed its third reading by its title and ordered to be sent to the House for its concurrence.

(H. F. No. 32) "An act incorporating Ogden city," was taken up and,

On motion of Councilor George A. Smith, was made the order of the day for to-morrow.

(H. F. No. 35) "An act concerning the proceedings to prevent the commission of crime" was taken up, and,

On motion of Councilor Farr, was referred to committee on judiciary.

Councilor Farr, chairman of committee on incorporations, made the following report:

"Your committee on incorporations, to whom was referred (C. F. No. 5) 'An act to charter the Virginia, Washoe and Steamboat Valley Railroad Company,' would respectfully ask leave to report favorable to the passage of said bill as amended."

On motion of Councilor Geo. A. Smith, the bill referred to was laid over till to-morrow.

Journal read and approved.

On motion of Councilor Carrington, the Council adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Thursday, Jan. 10, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Stout presented, petition of Lewis Robison and Joshua Terry for the privilege of building and controlling a bridge across Green river, which was read, and,

On motion of Mr. Wandell, referred to the committee on roads, etc.

Mr. McCaw, chairman of committee on roads, etc., to whom was referred the petition of W. G. Young and other citizens of Tooele county, praying for the repeal of an ordinance passed by the General Assembly of the State of Deseret, approved Jan. 9, 1851, reported, that they had given the subject due consideration and prepared the accompanying bill, entitled "An act repealing a certain ordinance therein named."

On motion of Mr. Rockwood, the report was received, and the bill laid on the table to come up in its order.

On motion [H. F. No. 22] a bill for "An act concerning notaries public in Carson county," was taken up on its second reading by sections, and amended, and,

On motion of Mr. Benson, passed its second reading as amended.

(H. F. No. 37) "An act to amend 'an ordinance incorporating Parowan city,' and 'An act incorporating Cedar city,' " was taken up on its second reading and,

On motions, passed its second reading.

[H. F. No. 39] a bill for "An act to legalize certain surveys in Carson county," was taken up and read, and,

On motion of Mr. Benson, passed its first reading.

[H. F. No. 40] a bill for "An act defining the boundaries of Cache county," was taken up and read, and,

On motion of Mr. Rockwood, was referred to the committee on counties, with instructions.

[H. F. No. 42] a bill for "An act repealing the 59th section of the city charter of Great Salt Lake City," was taken up, and,

On motion, Mr. Bigler had the privilege of withdrawing said bill.

[H. F. No. 30] a bill for "An act to incorporate Virginia city," was taken up, and,

On motion of Mr. James, passed its first reading.

[H. F. No. 35] a bill for "An act concerning proceedings to prevent the commission of crime," was taken up on its third reading, and,

On motion of Mr. Wandell, passed.

The bill was read by its title and so passed.

[H. F. No. 43] a bill for "An act making lead and copper a tender for taxes," was read, and,

On motion of Mr. Long, the enacting clause was stricken out.

Mr. Benson moved that a special committee be instructed to consider the propriety of bringing in a bill to release the citizens of the Territory of Utah from paying hard money for their Territorial taxes. Seconded and carried.

Messrs. Benson, Wandell, Rockwood and Bullock were appointed said committee.

[H. F. No. 44] a bill for "An act repealing a certain ordinance therein named," was taken up, and,

On motion of Mr. Long, passed its first reading.

[H. F. No. 45] a bill for "An act in relation to commitment and bail," was taken up, and,

On motion of Mr. Bigler, passed its first reading.

Mr. West, chairman of committee on revenue, to whom was referred the motion of Mr. Hyde, of Dec. 19th, 1860, reported that, after careful examination of the subject matter, they had prepared the accompanying bill entitled, "An act to appoint a commission to remit or order the collection of the delinquent Territorial taxes and the defalcations of assessors and collectors."

On motion of Mr. Long, the report was received and the bill laid on the table to come up in its order.

Mr. Clawson, chairman of committee on claims, to whom was referred the petition of Philander Bell, for an appropriation to reimburse him for supplies furnished the expedition against the Utah Indians in the year 1853, reported having examined the same, and recommended that a commission of three be appointed by the joint vote of the Legislative Assembly to investigate said claim, and any other claims of a like nature that may have been omitted, and report the same to the Legislative Assembly during the first week of the next session.

On motion, the report was received, and the committee instructed to bring in a resolution on the subject.

Mr. James reported back,

(H. F. No. 19) "An act to incorporate the Carson Railroad and Turnpike Company," which was laid on the table to come up in its order.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 11, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Friday, Jan. 11, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Assistant Secretary.

Roll called. Quorum present.

On motion of Councilor Woodruff, Councilor Harrington was elected President *pro tem*.

Prayer by the Chaplain.

The following communication was read:

"SECRETARY'S OFFICE, G. S. L. City,
Jan. 10th, 1861. }

HON. DANIEL H. WELLS:

HON. JOHN TAYLOR:

GENTLEMEN:—The 'Memorial to Congress for an appropriation to increase the Utah library' has to-day received the Governor's assent and been forwarded to the Hon. W. H. Hooper for presentation to Congress.

I am, Gentlemen,

Your obedient servant,

FRANCIS H. WOOTTON,

Secretary of the Territory."

(H. F. No. 32) "An act incorporating Ogden city," was taken up on its second reading, and sections 9 and 13 as amended by the committee on incorporations, were read, and so passed.

A message from the House was now read, as follows:

"A committee of three has been appointed to confer with a like

committee from the Council to take into consideration the subject of the 'Act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases;' namely, Hosea Stout, C. W. West and Wm. Crosby.

Will your honorable body please to appoint a like committee."

On motion of Councilor Farr, the Council voted the appointment of a committee of one for the purpose designated by the House.

On motion of Councilor Woodruff, Councilor Carrington was appointed said committee, and the House notified accordingly.

The consideration of (H. F. No. 32) "An act incorporating Ogden city" was resumed.

On motion of Councilor Ferguson, sec. 17 was amended.

On motion of Councilor Ferguson, sec. 22 was amended by striking out the words "or by distress and sale of any property belonging to persons so indebted."

On consideration of sec. 32, Councilor Geo. A. Smith moved that so much of that section as gave authority to the city council of Ogden city to license the manufacture or sale of spirituous liquors be stricken out.

The motion was negatived, and Councilor Geo. A. Smith desired that his vote in favor of the motion be recorded upon the journal.

On motion of Councilor Ferguson, the words "ball rooms" were inserted in the 37th section."

Pending the consideration of the 50th section, the bill was laid over till to-morrow.

Journal read and approved.

On motion of Councilor F. D. Richards, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Friday, Jan. 11, 1861, 10 a.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from the Council:

"COUNCIL CHAMBER, Jan. 10, 1861.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The accompanying bill (C. F. No. 3) entitled, 'An

act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments' has this day passed the Council and is now submitted to the House for its action.

(H. F. No. 7) 'An act in relation to the Supreme court' has been concurred in by the Council, with amendments, and is now respectfully returned for your concurrence in the amendments.

(H. F. No. 29) 'An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases' has met with the non-concurrence of the Council.

(H. F. No. 31) 'An act amending "An act incorporating Great Salt Lake City," approved Jan. 20 1860' is concurred in by the Council with the amendment of striking out the words 'in cases arising under the ordinances of said City council,' and the recommendation that the bill be incorporated by the House into (C. F. No. 3) 'An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments.'

(H. F. No. 26) 'An act in relation to actions on official securities' is not concurred in by the Council.

(H. F. No. 9) 'An act in relation to forms of actions in civil cases, and the parties thereto' is not concurred in by the Council, who have substituted therefor the accompanying bill (C. F. No. 8) 'An act in relation to abatement in civil actions' which is herewith sent for the action of the House:

The accompanying 'Resolution to repeal a "resolution, offering a reward for the discovery of a coal bed near Great Salt Lake City"' has passed the Council and is respectfully forwarded for the action of the House.

The House bills referred to are herewith respectfully returned.

Very respectfully,

JOHN T. CAINE,

Secretary of Council."

On motion of Mr. Rockwood, the bills and resolution for concurrence were laid on the table to come up in order.

Mr. Stout presented, petition of Henry Woodard and G. J. Taylor, for the privilege of erecting a bridge over Weber, on the main emigrant road, over said river, and for a charter to control the same.

On motion of Mr. Thurber, the petition was received, and referred to committee on roads, etc.

Mr. James presented,

(H. F. No. 47) "An act changing the county seat of Carson county," which was read, and,

On motion of Mr. Thurber, passed its first reading.

Mr. West presented,

(H. F. No. 48) "An act in relation to attachments and garnish-ees," which,

On motion of Mr. Rockwood, was received, and laid on the table to come up in order.

Mr. Stout moved, that a committee of three be appointed to confer with a like committee from the Council to take into consideration the subject of the "Act authorizing and empowering the secretary of the Territory to receive and collect fees in certain cases," and report thereon to the Council; seconded and carried.

The Speaker appointed Messrs. Stout, West and Crosby, said committee.

Mr. James presented,

(H. F. No. 49) "An act providing for the times and places of holding the District courts for the Territory of Utah," which was read, and,

On motion of Mr. Greene, laid on the table to come up in its order.

Mr. Rockwood, chairman of special committee, appointed to take into consideration the report of the County court of Utah county, in relation to the letting of the Provo kanyon road, reported their findings in the premises, as follows:

"We find that the letting of the contract was contrary to the intention of the law, and that the notice therefor was only given the evening previous to the letting of said contract. There were only two bidders for the contract, viz: "Wall & Letham" and "B. K. Bullock & Co." B. K. Bullock and Gilbreth Haws were Wall & Letham's sureties. Before bids were accepted, there was an understanding between Wall, Letham and B. K. Bullock, that in case Wall & Letham got the bid, Bullock would be a partner. It was the understanding of the parties (or most of them) and others, that B. K. Bullock and Judge Silas Smith were partners in the contract. That late in the fall, Bullock & Smith gave notice that they did not wish to remain as partners. Smith gave orders as partner to the gate keeper. We find that the contract was hastily let, contrary to the better judgment of some of the court; also, that the gate keeper was notified by some person not to give up the books containing the accounts of receipts for toll, as they would be needed elsewhere, and that shortly after, Judge. Silas Smith and B. K. Bullock claimed being partners any longer.

We find as per gate keeper's books, that the toll received on the road amounted to \$2695.05, and the expenses of repairing the road as reported \$1412.65; and that an evident overcharge exists in the

reported expenses of some \$400. We find that the road might have been put and kept in repair for from \$300 to \$500, and had the road been properly managed the toll would probably have amounted to from \$400 to \$800 more.

We deem it just to here remark, that the County court as agent for the Territory, erred in letting the contract on the conditions they did, their duty as agent being to take charge of the road, appoint the gate-keeper, fix the rates of toll, put the road in repair, pay the expenses and report the result to the Legislature as the law provides: had all this been done by the County court, according to law, and with that economy and ability that the Legislature had confidently expected of them, the nett income to the Territory for the past year would have been something near two thousand dollars.

A. P. ROCKWOOD, Chairman."

On motion of Mr. Greene, the report was received and the committee discharged from further duties on the subject..

Mr. Clawson, chairman of committee on claims, to whom was referred "An act to open a road up Weber river kanyon and appropriating money therefor," reported that after due consideration they deemed it inexpedient to legislate thereon.

On motion of Mr. Greene, the report was received, and the committee discharged from further action in the premises.

Mr. Clawson, chairman of committee on claims, having duly investigated the claim of Theodore McKean, U. S. Marshal, for services in the district court in October last, respectfully reported adversely to said claim.

On motion of Mr. Nebeker, the report was received, and the committee discharged from further duties on the subject.

Mr. Clawson, chairman of committee on claims, to whom was referred the claims of William Wall, William Marsden and Moses Meeham for services attending the House special committee on Provo Kanyon road investigation, respectfully reported as follows:

"On the claim of William Wall, adversely.

"On the claims of William Marsden and Moses Meeham, recommended that they be paid at the rate of two dollars per day for their services while in attendance on the committee, and mileage at the rate of eight cents per mile, and that the same be included in the Territorial Appropriation Bill."

On motion of Mr. Rockwood, the report was received, and the committee instructed to incorporate the bills of Marsden and Meeham, as reported, in the Territorial Appropriation Bill.

Mr. Wandell, chairman of committee on petitions and memorials, to whom was referred the motion of Mr. Greene, inquiring into

the expediency of memorializing Congress, praying that the value of the quota of public arms due to this Territory be appropriated for the purpose of manufacturing such arms as shall be proper and serviceable for military uses in this Territory, within the limits of this Territory, reported that, in their opinion, Congress could not consistently grant such prayer.

On motion of Mr. Rockwood, the report was received and the committee discharged from further duties on the subject.

(H. F. No. 22) "An act concerning notaries public in Carson county," was taken up on its third reading, and,

On motion of Mr. Stout, passed.

The bill was read by its title and so passed.

(H. F. No. 37) "An act to amend an ordinance incorporating Parowan city," and also to amend "An act incorporating Cedar city," was taken up on its third reading, and,

On motion, passed.

The bill was read by its title and so passed.

(H. F. No. 14) "An act constituting the county jail of Carson county as a branch penitentiary of the Territory of Utah," was taken up on its second reading, by sections, and amended, and,

On motions, passed as amended.

(H. F. No. 39) "An act to legalize certain surveys in Carson county," was taken up on its second reading, and,

On motion of Mr. Stout, passed.

(H. F. No. 30) "An act to incorporate Virginia city," was taken up on its second reading, by sections, amended, and,

On motions, passed as amended.

(H. F. No. 44) "An act repealing a certain ordinance therein named," was taken up on its second reading, and,

On motion of Mr. Bigler, passed.

(H. F. No. 45) "An act in relation to commitment and bail," was taken up on its second reading, by sections, and,

On motion of Mr. Greene, passed.

(H. F. No. 19) "An act to incorporate the Carson Railroad and Turnpike Company," was taken up, and,

On motion of Mr. Stout, passed its first reading.

(H. F. No. 46) "An act to appoint a commission to remit or order the collection of the delinquent Territorial taxes and the defalcations of assessors and collectors," was taken up and read, and,

On motion, the bill passed its first reading.

(C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments," was taken up, and,

On motion of Mr. Stout, passed its first reading.

(H. F. No. 7) "An act in relation to the Supreme court," amended by the Council, was taken up, read, and,

On motion of Mr. Stout, the amendments were concurred in.

(H. F. No. 31) "An act amending 'an act incorporating Great Salt Lake City,' approved Jan. 20, 1860," which was amended by the Council, was read as amended, and,

On motion of Mr. Rockwood, the amendment was concurred in; also, the recommendation that the bill be incorporated by the House into (C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments."

(C. F. No. 8) substitute for (H. F. No. 9) "An act in relation to abatement in civil actions," which passed the Council, was read, and,

On motion of Mr. Stout, the house concurred in the passage of said bill.

"Resolution to repeal 'a resolution, offering a reward for the discovery of a coal bed near Great Salt Lake City,' " which passed the Council, was taken up and read, and,

On motion of Mr. Rockwood, the House concurred in said resolution.

The following message was received from the Council:

"The Council has appointed Hon. A. Carrington a committee of one, to confer with your committee upon the subject matter of the 'Act authorizing and empowering the secretary of the Territory to receive and collect fees in certain cases.'"

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain of the Council.

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SATURDAY, JANUARY 12, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Saturday, Jan. 12, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the Secretary.

Roll called. Quorum present.

On motion of Councilor George A. Smith, Councilor Harrington

was elected President *pro tem.*, during the present sickness of the President.

Prayer by the Chaplain.

The following message was received from the House:

"JANUARY 11, 1861.

The accompanying bill (H.F.No.22) entitled 'An act concerning notaries's public in Carson county,' also the accompanying bill (H. F. No. 37) entitled 'An act to amend "an ordinance incorporating Parowan city,"' and also to amend 'An act incorporating Cedar city' have this day passed the House of Representatives and are now submitted for the action of your honorable body.

The House has concurred in your amendments to (H. F. No. 7) 'An act in relation to the Supreme court;' also, with (C. F. No. 8) 'An act in relation to abatement in civil actions,' and 'Resolution to repeal a 'Resolution, offering a reward for the discovery of a coal bed near Great Salt Lake City," which are respectfully returned.

Your obedient servant,

THOMAS BULLOCK,
Chief Clerk."

The following message was also received from the House:

"JANUARY 12, 1861.

The following bills have passed the House of Representatives, and are now respectfully submitted for the action of the Council, namely:

(H. F. No. 14) 'An act constituting the county jail of Carson county, a branch penitentiary for the Territory of Utah.'

(H. F. No. 32) 'An act to incorporate Virginia City.'

(H. F. No. 39) 'An act to legalize certain surveys in Carson county.'

(H. F. No. 44) 'An act repealing a certain ordinance therein named' and, (H. F. No. 45) 'An act in relation to commitment and bail.'

Very respectfully,

JOHN TAYLOR, Speaker."

The consideration of (H. F. No. 32) "An act incorporating Ogden City," was resumed on the second reading of the 50th section.

On motion of Councillor Carrington, Sec. 50 was amended.

On motion of Councillor Smith, Sec. 62 was amended.

On motion of Councillor Carrington, Sec. 69 was amended.

On motion of Councillor Ferguson, Sec. 70 was stricken out.

The bill passed its second reading as amended by the Council, and,

On motion of Councilor Hardy, the bill was read the third time by its title, passed, and was ordered to be sent to the House for their concurrence in the amendments.

On motion of Councilor Farr, the vote of the 10th inst., by which the enacting clause of the bill (C. F. No. 4) "An act incorporating the Carson Quartz Mill Company" was struck out, was reconsidered, and the bill referred to a special committee of Councilor Ferguson, Snow and George A. Smith.

Councilor Ferguson, in behalf of the Special committee made the following report:

"Your committee to whom was referred the accompanying 'Act providing for appeals to the Supreme court,' is respectfully returned with the recommendation of your committee that it pass as amended."

Councilor Hardy presented,

(C. F. No. 9) "An act regulating the interest of money," which was read, passed its first reading, and laid on the table, to come up in its order.

(C. F. No. 5) "An act to charter the Virginia, Washoe and Steamboat Valley Railroad Company," was taken up, and referred to the special committee appointed to-day of Councilors Ferguson, Snow, and George A. Smith.

(H. F. No. 22) "An act concerning notaries public, in and for the county of Carson," was taken up and passed its first reading.

On motion of Councilor Ferguson, the bill was read the second time.

On motion of Councilor Ferguson, the word "two" was stricken out, and the word "five" substituted, and the word "three" struck out and the word "six" inserted in lieu thereof in the first section.

On motion of Councilor Carrington, sec. 2 was struck out.

On motion of Councilor Ferguson, the bill passed its third reading by the title, and was sent to the House for concurrence in the amendments.

(H. F. No. 37) "An act to amend 'An ordinance incorporating Parowan city,' and also to amend 'An act incorporating Cedar city,'" was taken up, read, and,

On motion of Councilor Carrington, was not concurred in, and ordered to be so returned to the House, the substance of the bill having been included in (C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments."

H. F. No. 14) "An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah," was taken up, read, and,

On motion of Councilor Ferguson, was passed to its second reading, read, and,

On motion of Councilor Carrington, sec. 1 was amended by striking out the word "now."

On motion of Councilor Carrington, the word "monthly" was stricken out of the 4th sec.

On motion of Councilor Carrington, the words "his or her" were struck out of the 5th sec.

On motion of Councilor Carrington, the words "whether any or" were struck out of the 5th sec.

On motion of Councilor Carrington, the 8th sec. was struck out.

On motion of Councilor Woodruff, the bill passed by its title, and was ordered to be sent to the House for concurrence in the amendments.

(H. F. No. 30) "An act to incorporate Virginia City," was taken up, and,

On motion of Councilor George A. Smith, was referred to the committee on incorporations.

(H. F. No. 39) "An act to legalize certain surveys in Carson county" was taken up, read, and,

On motion of Councilor Carrington, was placed on its second reading by sections.

On motion of Councilor Carrington, ec. 2 was stricken out.

On motion of Councilor Carrington, the bill passed by reading the title, and was ordered to be sent to the House for concurrence in the amendments.

(H. F. No. 44) "An act repealing a certain ordinance therein named" was taken up, read, and,

On motion of Councilor Carrington, the bill was concurred in and ordered to be so returned to the House.

(H. F. No. 45) "An act in relation to commitment and bail" was taken up, read, and,

On motion of Councilor George A. Smith, the bill was concurred in and ordered to be so returned to the House.

(C. F. No. 6) "An act providing for appeals to the Supreme court" was taken up, read as amended by the committee to whom it had been referred, and,

On motion of Councilor Ray, was passed to its second reading, read the second time, and,

On motion of Councilor Carrington, the bill passed by its title, and was ordered to be sent to the House for concurrence.

(C. F. No. 9) "An act regulating the interest of money," was taken up on its second reading, read, and,

On motion of Councilor Geo. A. Smith, was referred to Councilor Ferguson, as a special committee for its consideration.

Councilor Carrington made the following report:

“TO THE HONORABLE THE PRESIDENT AND COUNCIL:

GENTLEMEN:—Your committee of conference, to whom, with a like committee from the House, was submitted for consideration, (H. F. No. 29) ‘An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases’ reports that said committee have re-considered and amended said act, and unanimously recommend that it be passed as amended.

A. CARRINGTON,
Chairman of Conference Committee.”

The bill referred to was read as reported amended by the committee, and,

On motion of Councilor Woodruff, the vote of the 10th instant negating the bill was reconsidered, and,

On motion of Councilor Carrington, the bill passed as amended, and was ordered to be sent to the House for their concurrence in the amendments.

Councilor Carrington presented,

(C. F. No. 10) “An act changing the rate of Territorial tax,” which was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on revenue.

Journal read and approved.

On motion of Councilor Geo. A. Smith, Council adjourned till Monday, at one p.m.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES’ HALL, G. S. L. City, }
Saturday, Jan. 12, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Smith, chairman of committee on counties, to whom was referred the motion in relation to boundaries and jurisdiction of counties, finding a great discrepancy in the present “Act defining the boundaries of counties,” reported the accompanying bill, entitled, “An act defining the boundaries of counties.”

On motion of Mr. Rockwood, the report was received, and the bill laid on the table to come up in its order.

The business on the table being called for,

(H. F. No. 14) "An act constituting the county jail of Carson county as a branch penitentiary of the Territory of Utah," was taken up on its third reading, and,

On motion of Mr. West, passed.

The bill was read by its title, and amended so as to read, "An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah," and so passed.

(H. F. No. 30) "An act to incorporate Virginia city," was taken up on its third reading," and,

On motion of Mr. Stout, passed.

The bill was read by its title and so passed.

(H. F. No. 39.) "An act to legalize certain surveys in Carson county," was taken up on its third reading, and,

On motion of Mr. Nebeker, passed.

The bill was read by its title and so passed.

(H. F. No. 44) "An act repealing a certain ordinance therein named," was taken up on its third reading, and,

On motion of Mr. Stout, passed.

The bill was read by its title and so passed.

(H. F. No. 45) "An act in relation to commitment and bail," was taken up on its third reading, and,

On motion of Mr. Stout, passed.

The bill was read by its title and so passed.

(H. F. No. 47) "An act changing the county seat of Carson county," was taken up on its second reading by sections, amended, and,

On motions, passed as amended.

(H. F. No. 19) "An act to incorporate the Carson Railroad and Turnpike Company," was taken up on its second reading by sections, and,

On motions, passed.

(H. F. No. 46) "An act to appoint a commission to remit or order the collection of the delinquent Territorial taxes and the defalcations of assessors and collectors," was taken up on its second reading, and,

On motion of Mr. Stout, was laid over to come up in its order.

The minutes were called for, read and accepted.

On motion, the House adjourned till Monday at 10 a.m.

Benediction by the Chaplain.

MONDAY, JANUARY 14, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Monday, Jan. 14, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President, *pro tem*.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Carrington, chairman of the judiciary committee reported back amended (H. F. No. 28) "An act concerning arrests" and,

(C. F. No. 7) "An act for the forcible assessing and collection of taxes" amended.

Councilor Hardy presented; "Petition from the citizens of Payson, signed by Franklin A. Young, and by others, praying for the right to be granted to the City council of that city to control the waters of Spring creek, which was read.

On motion of Councilor Hardy, the petition was referred to the committee on incorporations.

Councilor Ferguson made the following report:

"Your special committee to whom was referred the accompanying bill (C. F. No. 9) "An act regulating the interest of money" begs to return it with amendments, and as now presented, respectfully recommends its passage.

On motion of Councilor Ferguson, the bill was placed on its first reading as amended, read, and,

On motion of Councilor Ray, was placed on its second reading, read, and,

On motion of Councilor Carrington, the enacting clause was stricken out.

Councilor Ferguson in behalf of the special committee of three, made the following report:

"Your committee, to whom was referred the consideration of 'An act to incorporate the Carson Quartz Mill Company' respectfully return the same with amendments, the passage of which we recommend as amended."

The bill (C. F. No. 4) was read as amended; passed its first reading, and,

On motion of Councilor Ferguson, was placed on the second reading, read, and,

On motion of Councilor Ferguson, was read the third time by its title, passed, and ordered to be sent to the House of Representatives for concurrence.

(H. F. No. 28) "An act concerning arrests" was taken up and read, as reported back amended by the committee on judiciary, passed its second reading, and,

On motion of Councilor Woodruff, was read the third time by its title, passed, and was ordered to be sent to the House for concurrence in the bill as amended.

(C. F. No. 7) "An act for the forcible assessing and collection of taxes" was taken up, read as reported back amended by the committee on judiciary, and,

On motion of Councilor Ferguson, it was voted that the bill do not pass.

Councilor Woodruff, chairman of the committee on library, made the following report:

"Your committee to whom was referred the report of the librarian, would respectfully report that after mature consideration on the subject, they are of the opinion that further legislation on the matter, is unnecessary, and therefore beg leave to be discharged from further duties in the premises."

On motion of Councilor Ferguson, the report was accepted, and the committee discharged from further duties on the subject referred to.

Journal read and approved.

On motion of Councilor Ferguson, Council adjourned till to-morrow, at 11 a.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City. }
Monday, January, 14, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion Mr. Rockwood was elected speaker *pro tem*.

Prayer by the Chaplain.

The following communication was received from the Council:

"COUNCIL CHAMBER, Jan. 12, 1861.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The bill (H. F. No. 32) 'An act incorporating

Ogden City' has passed the Council with sundry amendments, marked on the bill, and is now returned for the concurrence of the House in the amendments. (The amendments are in sections 9, 13, 14, 17, 18, 22, 37, 50, 58, 62, 69 and 70) not concurred in.

Your bill (H. F. No. 22) 'An act concerning notaries public in and for the county of Carson' has passed the Council with amendments, and is herewith returned, and your concurrence in the amendments solicited.

Your bill (H. F. No. 37) 'An act to amend an ordinance, incorporating Parowan City,' and also to amend 'An act incorporating Cedar City' is not concurred in by the Council, the substance of the bill having been included in (C. F. No. 3) 'An act compiling, etc.

Your bill (H. F. No. 14) 'An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah' has been concurred in by the Council, with amendments as shown on the bill, which is returned herewith, and your concurrence therein solicited.

Your bill (H. F. No. 39) 'An act to legalize certain surveys in Carson county' has been concurred in by the Council except the second section, which was stricken out.

Your bill (H. F. No. 44) 'An act repealing a certain ordinance therein named' is now returned concurred in by the Council.

(H. F. No. 45) 'An act in relation to commitment and bail' is also concurred in by the Council and herewith returned.

The accompanying bill (C. F. No. 6) 'An act providing for appeals to the Supreme court' has passed the Council, and is herewith forwarded for the action of the House.

The Council has reconsidered their action of the 10th inst., negating the bill (H. F. No. 29) 'An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases' and has passed the same with amendments. The bill is now returned for your further action.

Very Respectfully,

JOHN T. CAINE.

Secretary of the Council."

On motion of Mr. Bullock, the bills on which the concurrence of the House was solicited, were laid on the table to come up in their order.

Mr. Wandell presented,

(H. F. No. 51) "An act appropriating money for a bridge across Beaver river, and for the Territorial road in Beaver county," which was read, and,

On motion of Mr. Thurber, referred to the committee on roads, etc.

Mr. Clawson presented, "Joint Resolution providing a special committee, and defining their duties," which was read, and,

On motion, laid on the table to come up in its order.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred the petition of Henry J. Young and others, praying for an appropriation of money for the building of two bridges across the Provo river, reported adversely thereto.

On motion of Mr. Green, the report was received and the committee discharged from further duties on the subject.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred the petition of sixty persons, residents of Springtown, for an appropriation to aid in the construction of a road up Spanish Fork canyon, respectfully reported adversely thereon.

On motion of Mr. Haight, the report was received and the committee discharged from further duties on the subject.

Mr. Smith, chairman of committee on counties, to whom was referred paragraphs 16, 17 and 18 of the Governor's message, reported that they had considered the subject therein set forth, and deemed further legislation thereon unnecessary.

On motion of Mr. Haight, the report was received, and the committee discharged from further duties on the subject.

Mr. Clawson presented bill of Samuel C. Snyder for work done on Big Canyon road, amounting to \$3,085 45½, which,

On motion of Mr. Green, was referred to the committee on claims and appropriations.

Mr. Thurber presented "Memorial to Congress for the purchase of the Indian lands, and the removal of the Indians from the settlements, and locating them in valleys unoccupied by whites," which was read, and,

On motion of Mr. Stout, adopted.

The oldest business on the table being called up,

[H. F. No. 19] "An act to incorporate the Carson Railroad and Turnpike Company," was taken up on its third reading, and,

On motion of Mr. Wandell, passed.

The bill was read by its title and so passed.

(H. F. No. 47) "An act changing the county seat of Carson county," was taken up on its third reading, and,

On motion of Mr. Wandell, passed.

The bill was read by its title and so passed.

(H. F. No. 48) "An act in relation to attachments and garnishees," was taken up and read, and,

On motion of Mr. Stout, passed its first reading.

[H. F. No. 49] "An act providing for the times and places of holding the District courts for the Territory of Utah," was taken up, and,

On motion of Mr. Stout, passed its first reading.

[H. F. No. 50] "An act defining the boundaries of counties," was taken up and read, and,

On motion of Mr. Stout, passed its first reading, and sixty-five copies thereof ordered to be printed for the use of the Assembly.

On motion of Mr. Wandell, the order of the day was suspended, and the bills from the Council, in which concurrence was solicited, were taken up as follows:

[H. F. No 14] "An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah," was read as amended by the Council, and,

On motion of Mr. Stout, the House concurred.

[H. F. No. 22] "An act concerning notaries public in Carson county," was read as amended by the Council, and,

On motion of Mr. Bullock, the amendments were concurred in.

(H. F. No. 29) "An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases," which was re-considered by the Council and amended, was read as amended, and,

On motion of Mr. Bullock, the amendments were concurred in.

(H. F. No. 39) "An act to legalize certain surveys in Carson county," was read as amended by the Council, and,

On motion of Mr. Stout, concurred in.

[C. F. No. 6] "An act providing for appeals to the Supreme court," passed by the Council, was read, and,

On motion of Mr. Bigler, passed its first reading.

Mr. Long, in behalf of committee on petitions and memorials, having considered that part of the Governor's message which refers to the public lands, reported the accompanying "Memorial for a donation of lands to cities, towns and villages," and recommended its adoption.

On motion of Mr. Moody, the report was received, and the memorial laid on the table to come up in its order.

[H. F. No. 32] "An act incorporating Ogden city," amended by the Council, was read as amended, and,

On motion of Mr. Stout, the amendments were not concurred in.

(C. F. No. 3) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments," was taken up on its second reading by sections, and amended, and,

On motions passed as amended.

On motion of Mr. Long, said bill passed its third reading by its title.

The bill was read by its title and so passed.

The bill of Theodore McKean as Territorial road commissioner, for services, amounting to \$430, was read, and,

On motion of Mr. Long, referred to committee on claims.

The following was received from the Council:

"The accompanying bill [C. F. No. 4] 'An act to incorporate the Carson Quartz Mill Company,' has passed the Council, and is now respectfully forwarded for the action of the House.

Your bill [H. F. No. 28] 'An act concerning arrests,' has passed the Council with amendments, and is now respectfully inclosed for your further action.

Very respectfully,

JOHN T. CAINE, Secretary."

The minutes were read and accepted.

On motion, the House adjourned till 9:30 a.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 15, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,

Tuesday, Jan. 15, 1861, 11 a.m. }

Council met pursuant to adjournment.

Called to order by the President *pro tem*.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilors Ferguson and Ray, from the committee on education, made the following report:

"Your committee, to whom was referred (H. F. No. 8) 'An act relating to the office of Territorial superintendent of common schools,' respectfully return the bill with the accompanying substitute, 'An act relating to the offices of Territorial and county superintendents and trustees of common schools,' recommending its passage."

Councilor Woodruff, chairman of the committee on revenue, made the following report:

"Your committee, to whom was referred [C. F. No. 10] 'An act changing the rate of Territorial tax,' have considered the subject, and recommend the passage of the bill."

The bill [C. F. No. 11] entitled, "An act relating to the offices of Territorial and county superintendents and trustees of common schools," was taken up, read, and passed its first reading.

The following message was received from the House:

"Jan. 14, 1861.

"The House of Representatives has concurred in your amendments to [H. F. No. 14] 'An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah.'

[H. F. No. 22] 'An act concerning notaries public in Carson county.'

[H. F. No. 29] 'An act authorizing and empowering the Secretary of the Territory to receive and collect fees in certain cases,' and,

[H. F. No. 39] 'An act to legalize certain surveys in Carson county.'

They have not concurred in your amendments to 'An act incorporating Ogden city.'

They have passed the accompanying bills [H. F. No. 19] 'An act to incorporate the Carson Railroad and Turnpike Company,' and,

[H. F. No. 47] 'An act changing the county seat of Carson county;'

And have adopted 'A memorial to Congress for the purchase of the Indian lands, and the removal of the Indians from the settlements, and locating them in valleys unoccupied by whites,' which are now submitted for the action of your honorable body.

They have also concurred in [C. F. No. 3] 'An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory and embodying certain amendments,' with sundry amendments, which are submitted for your action."

[C. F. No. 3] "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory," was called up, and read as amended by the House of Representatives.

The Council voted to concur with the amendments of the House except the inserting on page 7 of the bill, "An act in relation to writs of ejectments;" striking out of "A preamble and an act for the further relief of Indian slaves and prisoners," on page 9 of the bill, and the striking out of the latter clause of sec. 24, on page 13; and the bill was ordered to be returned to the House for further action.

Councilor Ferguson, chairman of special committee, made the following report:

"Your committee, to whom was referred the accompanying bill, entitled, 'A bill to be entitled "An act to charter the Virginia, Washoe and Steamboat Valley Railroad Company,"' respectfully return the same with some slight amendments, including the amend-

ment of the title by striking out the first five words; and as now amended respectfully recommend its passage."

Councilor George A. Smith presented "Petition from citizens of Chalk creek, Summit county, signed by Henry W. Brizzee and 88 other persons, praying for a county organization." The petition was read, and,

On motion of Councilor Ferguson, was referred to the committee on counties, with instructions to report by bill or otherwise.

The bill (C. F. No. 5) "An act to charter the Virginia, Washoe and Steamboat Valley Railroad Company," was taken up, read, as reported from the special committee, passed its second reading, and,

On motion of Councilor Ferguson, the bill was read the third time by its title, and ordered to be sent to the House of Representatives for concurrence.

The bill (H. F. No. 19) "An act to incorporate the Carson Railroad and Turnpike Company," was taken up, read, and,

On motion of Councilor Hardy, the bill was referred to the committee on roads, bridges, ferries and canyons.

(H. F. No. 47) "An act changing the county seat of Carson county," was taken up, read, and,

On motion of Councilor Ferguson, passed to its second reading, read, and,

On motion of Councilor Carrington, the second section was amended.

On motion of Councilor Carrington, the Council took a recess to visit, by request of the Territorial Road Commissioner, the bridge newly erected over the Jordan river.

3 p.m.

Council resumed their session.

Journal read and approved.

On motion of Councilor Woodruff, Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Tuesday, Jan. 15, 1861, 9:30 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by Mr. Bigler.

Mr. James presented [H. F. No. 55] "An act to assess and collect revenue for Territorial and county purposes in the county of Carson," which was read, and,

On motion of Mr. Long, passed its first reading.

Mr. James presented,

[H. F. No. 56] "An act to provide for building a county jail for Carson county," which,

On motion of Mr. Rockwood, was laid on the table to come up in its order.

Mr. James presented,

(H. F. No. 57) "An act to regulate the fees of officers in Carson county," which,

On motion of Mr. Rockwood, was laid on the table to come up in its order.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred the petition of citizens of the upper Rio Virgen for assistance in making a road, in connection with a petition from citizens of Washington county, for an appropriation for like purposes; after due consideration, recommend the appropriation of one hundred and fifty dollars, for their assistance, made subject to the control of the County court of said county, to be expended by them on said roads.

On motion of Mr. Rockwood, the report was received, and referred to the committee on claims and appropriations.

Mr. Rockwood, chairman of committee on penitentiary, reported a communication from the warden of the penitentiary, which he submitted to be kept on file for future reference or for historical purposes.

Mr. Rockwood, chairman of committee on penitentiary, to whom was referred the communication of D. Carn, ex-warden of the penitentiary, reported that after laboring diligently to get access to the books of the penitentiary, they had not been able to get access to but one, out of five or more, which book did not contain the desired information, and as the session is far spent, there is not sufficient time for a full investigation, therefore recommend that the subject be indefinitely postponed, and committee discharged from further duties on the subject.

On motion, the report was received, and the committee discharged from further duties on the subject.

The business on the table being called up,

[H. F. No. 48] "An act in relation to attachments and garnishees, was taken up on its second reading by sections, and,

On motions, passed.

(H. F. No. 49) "An act providing for the times and places of

holding the District courts for the Territory of Utah," was taken up on its second reading by sections, amended, and,

On motion of Mr. Stout, passed as amended.

On motion, the bill passed its third reading, and was read by its title, and so passed.

[H. F. No. 50]. "An act defining the boundaries of counties," was taken up on its second reading, by sections, and,

On motions, passed as amended.

On motion of Mr. Long, the bill passed its third reading.

The bill was read by its title and so passed.

Mr. Stout moved that the committee on claims and appropriations be instructed to incorporate in the appropriation bill the sum of five hundred dollars to the Deseret Agricultural and Manufacturing Association; seconded and carried.

Mr. Rockwood moved, that said appropriation be accompanied with instructions that the same be applied to the development of the resources of this country, and not to the encouragement of articles or stock imported. Seconded and carried.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred "An act appropriating money to build a bridge across Beaver river," reported back said bill with an amendment, and recommended its passage as amended.

On motion of Mr. Wandell, the report was received, and the bill laid on the table to come up in its order.

On motion of Mr. James,

[H. F. No. 14] "An act constituting the county jail of Carson county a branch penitentiary for the Territory of Utah," was reconsidered, and,

On motion of Mr. James, the amendments of the Council to said bill were not concurred in, and a committee of conference appointed to act with a like committee from the Council on the consideration of said bill.

The Speaker appointed Messrs. James, West and Wandell said committee of conference.

Mr. West moved that the motion of non-concurrence in the amendments of the Council to the "Act incorporating Ogden city" be reconsidered. Seconded and carried.

Mr. Stout moved that a committee of conference be appointed to confer with a like committee from the Council on said subject.

The Speaker appointed Messrs. West, Moody, Bigler said committee.

The minutes were read and accepted.

On motion, the House adjourned till to-morrow, at 10 a.m.

Benediction by Mr. Greene.

WEDNESDAY, JANUARY 16, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Wednesday, Jan. 16, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President *pro tem.*

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"The inclosed bills have passed the House of Representatives, and are now respectfully submitted for the action of the Council; namely:

(H. F. No. 49) 'An act providing for the times and places of holding the District courts for the Territory of Utah,' and (H. F. No. 50) "An act defining the boundaries of counties."

The House has also reconsidered its vote in relation to (H. F. No. 14) 'An act constituting the county jail of Carson, a branch Penitentiary' etc., and appointed Messrs. James, West and Wandell, a committee of conference to meet a committee of the Council on the subject.

On motion of Mr. West, they have also re-considered their vote non-concurring with the amendments of the Council, in 'An act incorporating Ogden city,' and have appointed Messrs. West, Moody and Bigler, a committee to meet a like committee from the Council on the subject."

Councilor Carrington, chairman of the committee on judiciary, reported unfavorably to the passage of (H. P. No. 11) "An act concerning justices of the peace," also recommended a non-concurrence of the Council in (H. F. No. 35) "An act concerning proceedings to prevent the commission of crime" and returned said bill.

(H. F. No. 33) "An act further defining the duties of the officers of the Penitentiary" he had amended, and now returned for the action of the Council.

Councilor Farr, chairman of the committee on incorporations made the following report:

"Your committee to whom was referred (H. F. No. 36) 'An act to incorporate Virginia City' would respectfully ask leave to report back said bill without amendment and recommend that the Council concur with the House in its passage.

The consideration of (H. F. No. 47) "An act changing the

county seat of Garson county" was resumed on its second reading, and.

On motion of Councilor Carrington, the bill was concurred in and ordered to be so returned to the House.

The Memorial received from the House, entitled "Memorial to Congress for the purchase of the Indian lands and the removing of the Indians from the settlements, and locating them in valleys unoccupied by whites," was taken up, read, and,

On motion of Councilor Carrington, the memorial was concurred in and ordered to be so returned to the House.

(C. F. No. 11) "An act relating to the offices of Territorial and county superintendents and trustees of common schools." was taken up on its second reading.

On motion of Councilor Carrington, the bill was negatived.

(H. F. No. 8) "An act relating to the office of Territorial superintendent of common schools" was taken up, and,

On motion of Councilor Carrington, the Council voted non-concurrence in the bill, and ordered that the bill be so returned to the House.

(C. F. No. 10) "An act changing the rate of Territorial tax," was taken up and read.

Pending a vote on the second reading of the bill,

The following message was read from the House:

"The House of Representatives has concurred in your amendments on pages 7 and 9; of the compilation act, and have referred your concurrence to amendment to section 24, page 13, to a committee of reference, namely Messrs. Woolley, Thurber and Wandell, to confer with a like committee from the Council on said subject."

On motion of Councilor Ferguson, it was ordered that a committee for the purpose desired by the House should be appointed by the chair.

Councilors George A. Smith and Carrington were appointed said committee, and retired.

Councilor George A. Smith, in behalf of the committee appointed to confer with the committee from the House in relation to the amendment made by the House on page 13, sec. 24 of the compilation act, which was not concurred in by the Council, reported that the said committee had agreed mutually to recommend the insertion of the words "five per cent" in lieu of "ten per cent" in the clause embraced in said amendment.

On motion of Councilor Carrington, the report was accepted, and the committee discharged from further action on the subject and the Council agreed to the bill as so amended.

The consideration of (C. F. No. 10) "An act changing the rate

of Territorial tax," was resumed, passed its second reading, and,

On motion of Councilor Woodruff, the bill passed its third reading by its title, and was ordered to be sent to the House for concurrence.

The following communication was read from the Secretary of the Territory:

"SECRETARY'S OFFICE, G. S. L. City, }
Jan. 16th, 1861. }

HON. DANIEL H. WELLS:

HON. JOHN TAYLOR:

GENTLEMEN:—The 'Act to legalize certain surveys in Carson county,' 'An act in relation to commitment and bail,' 'An act repealing a certain ordinance therein named,' 'An act in relation to abatement in civil actions,' 'An act in relation to the Supreme court,' 'An act concerning surveys of mining claims in Carson county,' and 'An act concerning notaries public in and for the county of Carson,' have this day been approved by the Governor, and the same are now on file in this office.

Your Ob't. Servant,

FRANCIS H. WOOTTON,

Secretary of Territory."

On motion of Councilor George A. Smith, it was ordered that a committee be appointed to confer with those of the House in accordance with the request of the message from the House.

Councilors George A. Smith and Farr, committee on the part of the Council, to consider the Ogden city charter.

Councilors Woodruff and Ray, committee on the part of the Council, to consider the bill in reference to the Carson county jail.

The following message was read, from the House:

"The House of Representatives has concurred in your bill [C. F. No. 6] 'An act providing for appeals to the Supreme court,' and have passed [H. F. No. 46] 'An act appointing A. P. Rockwood to remit or order the collection of the delinquent Territorial taxes and the defalcations of assessors and collectors,' also [H. F. No. 48] 'An act in relation to attachments and garnishees,' and have adopted a 'Memorial for a donation of lands to cities, towns, and villages,' which are herewith inclosed for the action of your honorable body."

(H. F. No. 49) "An act providing for the time and places of holding the District courts for the Territory of Utah" was taken up, read, and,

On motion of Councilor George A. Smith, the bill was referred to the committee on judiciary.

(H. F. No. 50) "An act defining the boundaries of counties," was taken up and read the first time.

On motion of Councilor Ferguson, the bill was referred to a special committee of Councilors Snow, Farr and Woodruff.

Councilor Ferguson presented, "An act regulating fees in the District courts," which was read, and,

On motion of Councilor George A. Smith, the bill was laid on the table indefinitely.

[H. F. No. 30] "An act to incorporate Virginia city," was taken up, and read the first time.

On motion of Councilor Woodruff, the Council voted to not concur in the bill and ordered that it be so returned to the House.

The following message was read from the House:

"The House of Representatives has concurred in the report of the conference committee, reducing sec. 24, page 13, from 'ten' per cent. to 'five' per cent., and the bill is again returned to your honorable body for concurrence.

The House has concurred in your amendments to [H. F. No. 28] 'An act concerning arrests,' and do not concur with [C. F. No. 4] 'An act to incorporate the Carson Quartz Mill Company,'

They have passed (H. F. No. 58) 'An act concerning the protection and construction of electric telegraph lines in the Territory of Utah,' which are herewith forwarded to your honorable body for action."

(H. F. No. 46) "An act appointing A. P. Rockwood to remit or order the collection of the delinquent Territorial taxes and the defalcation of assessors and collectors," was taken up, read, and,

On motion of Councilor Ferguson, the bill was negatived, and ordered to be returned to the House not concurred in.

(H. F. No. 48) "An act in relation to attachments and garnishees," was taken up, read, and,

On motion of Councilor Ferguson, the Council voted to not concur in the bill, which was ordered to be so returned to the House.

The House "Memorial for a donation of lands to cities, towns and villages," was read, and,

On motion of Councilor Geo. A. Smith, referred to committee on memorials.

(H. F. No. 58) "An act concerning the protection and construction of electric telegraph lines in the Territory of Utah," was taken up, and read, and,

On motion of Councilor Ferguson, the bill was referred to the committee on judiciary.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

"TO THE HONORABLE THE PRESIDENT AND COUNCIL:

GENTLEMEN:—Your committee, to whom was referred [H. F. No. 49] 'An act providing for the times and places of holding the District courts for the Territory of Utah,' herewith return said act amended, and recommend its passage as amended."

The bill (H. F. No. 49) "An act providing for the times and places of holding the District courts for the Territory of Utah," was read as reported amended from the committee on judiciary, and,

On motion of Councilor Ferguson, the bill was concurred in as amended, and ordered to be sent to the House of Representatives for their concurrence in the amendment.

Councilor Carrington presented,

(C. F. No. 12) "An act for taxing certain imported merchandise and spirituous liquors."

Journal read and approved.

On motion of Councilor Ferguson, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Wednesday, Jan. 16, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long, in behalf of committee on engrossing, reported that they had called upon Mr. Campbell, assistant clerk, who had assisted them, but as the business on hand now required a permanent engrossing clerk, he moved that the services of Mr. John Oakley be secured for the remainder of the session. Seconded and carried.

The following message was received from the Council:

"The Council has concurred in the House amendments to (C. F. No. 3) "An act in relation to compilation' etc., except, that inserting on page 7 of the bill 'an act in relation to writs of ejectment'—that, striking out 'a preamble and an act for the further relief of Indian slaves and prisoners,' on page 9 of the bill, and that striking out the latter clause of Sec 24, on page 13. The bill is herewith returned for your further action.

The Council has passed the inclosed bill, (C. F. No 5) 'An act

to charter the Virginia, Washoe and Steamboat valleys Railroad Company,' which is now submitted for the action of your honorable body."

(C. F. No. 3) "An act in relation to compilation," etc., returned by the Council for further action, was taken up, and the non-concurred in amendments were read, the first two of which were concurred in, and,

On motion of Mr. Rockwood, a committee of conference was appointed to confer with a like committee from the Council on the last amendment—"striking out the latter clause of sec. 24 on page 13."

The Speaker appointed Messrs. Woolley, Thurber and Wandell said committee of conference, with instructions to report thereon at 2 p.m.

(C. F. No. 5) 'An act to charter the Virginia, Washoe and Steamboat valleys Railroad Company,' was taken up and read, and,

On motion of Mr. Wandell, passed its first reading.

Mr. Wandell presented,

(H. F. No. 58) "An act concerning the protection and construction of electric telegraph," which was read, and,

On motion, passed its first reading, and was referred to committee on incorporations, to which Mr. Rockwood was added, with instructions to report at 2:30 p.m.

Mr. Greene presented,

(H. F. No. 59) "An act authorizing the County court of Tooele county to establish temporarily the county seat of said county at Grantsville in said county," which was read, and,

On motion of Mr. Stout, passed its first reading.

(C. F. No. 6) "An act providing for appeals to the Supreme court," was taken up on its second reading, by sections, and,

On motions, passed.

On motion of Mr. Stout, the bill passed its third reading.

The bill was read by its title and so passed.

(C. F. No. 4) "An act to incorporate the Carson Quartz Mill Company," was read, and,

On motion of Mr. Wandell, the bill passed its first reading, and was referred to the committee on incorporations, with instructions to report at 3 p.m.

[H. F. No. 46] "An act to appoint a commission to remit or order the collection of the delinquent Territorial taxes, and the defalcations of assessors and collectors," was taken up on its second reading, and amended, and,

On motions, passed as amended.

On motion of Mr. Stout, the bill passed its third reading.

The bill was read by its title, and,

On motion, the words "to appoint a commission" was stricken out, and the words "appointed A. P. Rockwood" were inserted in lieu thereof, and so passed.

[H. F. No. 48] "An act in relation to attachments and garnishees, was taken up on its third reading, and,

On motion of Mr. Stout, passed.

The bill was read by its title and so passed.

On motion, a "Memorial for a donation of lands to cities, towns and villages," was taken up and read, and,

On motion of Mr. Stout, adopted.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred the petition of H. Woodward and G. J. Taylor, praying for a charter to build a bridge across the Weber river, on the emigrant road, in Summit county, reported that the right of the same is already granted to Brigham Young, in an act approved Jan. 20, 1854, and therefore deem further legislation on that subject inexpedient at present.

On motion of Mr. West, the report of the committee was accepted and they discharged from further duties on that subject.

On motion of Mr. Wandell, the House took a recess for an hour until two p.m.

2 p.m.

House re-assembled as per adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Mr. James, chairman of committee on incorporations, to whom was referred a bill for "An act concerning the construction and protection of electric telegraph lines in the Territory of Utah," reported that after due consideration they had amended the same, and recommended its passage as amended.

On motion of Mr. Long, the report was received, and the bill taken up on its second reading by sections, and amended, and,

On motion passed its second reading as amended.

On motion of Mr. Stout, the bill passed its third reading by its title.

Mr. McGaw, chairman of committee on roads, etc., to whom was referred the petition of Lewis Robison and Joshua Terry, praying for the right to build a toll bridge across Green river, with instructions to bring in a bill, reported the accompanying bill "An act granting to Lewis Robison and Joshua Terry, the right of building a toll bridge across Green river."

On motion of Mr. Rockwood, the report was received, and the bill laid on the table to come up in its order.

Mr. James, chairman of committee on incorporations, to whom was referred (C. F. No. 4) "An act to incorporate the Carson Quartz Mill Company," reported that after due consideration, they respectfully recommend that the bill do not pass.

On motion of Mr. Rockwood, the report of the committee was adopted.

Mr. Woolley, chairman of committee on conference, to whom was referred sec. 24, page 13, of the "Act in relation to the compilation" etc., reported that having conferred with a like committee from the Council on the subject; they had agreed to the reduction of the rate per cent fixed in said sec. 24, page 13, to five instead of ten per cent.

On motion of Mr. Stout, the report of said committee of conference was accepted, and the proposed reduction adopted and inserted in the bill.

(H. F. No. 52) "Joint resolution providing a special committee and defining their duties was read, and,

On motion of Stout, did not pass.

(H. F. No. 28) "An act concerning arrests" amended by the Council, and by them concurred in as amended, was taken up and read as amended, and,

On motion of Mr. Stout the amendments were concurred in.

(H. F. No. 56) "An act to provide for building a county jail for Carson county" was taken up and read, and,

On motion of Mr. Long, passed its first reading, and was referred to committee on counties.

(H. F. No. 55) "An act to assess and collect revenue for Territorial and county purposes in the county of Carson" was taken up on its second reading, and,

On motion of Mr. Rockwood the bill did not pass.

Mr. Benson, in behalf of special committee, to whom was referred on Dec. 27, 1860, "An act concerning estray pounds," reported that after careful examination, they had prepared, as a substitute, the accompanying bill, entitled "An act further defining the duties of pound keepers, and clerks of the county courts."

On motion of Mr. Rockwood, the report was received, and the bill laid on the table to come up in its order.

Mr. West, in behalf of committee of conference, to whom was referred the "Act incorporating Ogden city," reported that they had conferred with the like committee from the Council, and had agreed that sec. 62 of said act should read as the same passed the House, one member of said committee dissenting, and respectfully

asked the concurrence of the House in the action of said committees.

On motion of Mr. Stout, the action of the committees was concurred in, and,

On motion of Mr. Stout, the other amendments of the Council in said bill, were read, and,

On motions, were concurred in.

(H. F. No. 51) "An act appropriating money for a bridge across Beaver river, and for the Territorial road in Beaver county," was read, and,

On motion of Mr. Rockwood, passed its first reading.

(H. F. No. 57) "An act to regulate the fees of officers in Carson county," was read, and,

On motion of Mr. Long, passed its first reading.

(H. F. No. 59) "An act authorizing the County court of Tooele county, to establish temporarily the county seat of said county in Grantsville," was taken up on its second reading, and,

On motion of Mr. Benson, did not pass.

Mr. James, in behalf of committee on conference, to whom was referred (H. F. No. 14) "An act constituting the county jail of Carson county a branch Penitentiary for the Territory of Utah," reported that they had met a like committee from the Council, and with them had concurred in restoring sec. 8 to said bill.

On motion of Mr. Long, the report of the committee was accepted, and the adoption of sec. 8 concurred in.

Mr. Stout, chairman of committee on judiciary, to whom was referred (H. F. No. 17) "An act concerning the powers and duties of the district judges," reported that after examination of said act, they could see no good reason why the same should become a law, and, therefore, deemed any legislation thereon inexpedient.

On motion of Mr. Nebeker, the report was accepted.

Mr. Rockwood, chairman of committee on militia, to whom was referred the subject of public arms due this Territory, respectfully presented the following communication, as a report on said subject:

"GREAT SALT LAKE CITY, U. T.,
Jan. 15, 1861. }

HON. H. B. CLAWSON:

SIR:—In answer to your request in behalf of the committee on militia of the House of Representatives, for an expression in regard to the kind of arms most proper to receive from the Ordnance Department of the United States, for the quota of arms due to this Territory, I consider it most expedient for the Territory, in point of land transportation from the frontiers, as well as useful to the militia, to take the whole quota of arms now due to the Territory,

in Colt's patent revolving breech pistols, of the size commonly known as navy size, or belt pistol, the revolving breech having six chambers.

The 2,775 muskets referred to in the message of His Excellency Gov. Cumming, when commuted at the rate specified in the 'statement of the cost of small arms, etc., at their equivalent in muskets,' will give 2,604 of the aforesaid pistols and appendages, which, when packed, will weigh about 3 1-4 tons; the said muskets and accoutrements would weigh about 16 tons; a large difference to be freighted across the plains at the expense of the Territory.

I, therefore, recommend that the Legislature request the Governor to call for the whole quota of arms due the Territory up to the present year, to be delivered in the aforesaid kind of pistols at Florence, Nebraska Territory, as a convenient point for the Territory to receive them.

Respectfully,

T. W. ELLERBECK,
Col. Ordnance, Militia, U. T."

The committee have prepared "Resolution concerning quota of public arms due this Territory," and recommend its adoption, as the most feasible means, whereby said public arms can be delivered at Great Salt Lake City, in this Territory.

On motion of Mr. Stout, the report of committee was received, and the resolution adopted.

Mr. Clawson, in behalf of committee to whom was referred the report of the committee on revenue, in regard to the claims of Territorial Marshal, John Kay, for \$30; of Deputy marshal John Sharp, for \$30; and the amount of \$900 overdrawn by the Penitentiary for the year 1860, having duly investigated the same, respectfully recommend that appropriations be made to cover the above items, and that they be included in the Territorial appropriation bill.

Pending discussion on which, the minutes were called for, read, and accepted.

On motion, the House adjourned till 9:30 a.m., to-morrow.
Benediction by the Chaplain.

THURSDAY, JANUARY 17, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Thursday, Jan. 17, 1861, 1 p.m. }
Council met pursuant to adjournment.

Called to order by the President pro tem.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication from the Executive was read.

EXECUTIVE OFFICE, G. S. L. City, U. T., }
12th January, 1861. }

TO THE LEGISLATIVE ASSEMBLY OF UTAH:

GENTLEMEN—In a former communication I recommended that the Chief Justice and his associates should be authorized to alternate in their several districts: I would again urged that subject upon your favorable consideration. It would be a source of serious inconvenience to the community to be deprived of district courts in the event of the sickness or absence of the judge to whom the district may have been assigned.

The act assigning the judges has been in my office for some days, awaiting your action in fixing the time of holding courts. This action, in my opinion, cannot, with propriety, be longer deferred.

I earnestly recommend that you fix the rate of legal interest of ten per cent per annum, and damages for appeals for delay, not exceeding fifteen per cent at the discretion of the court.

The "Act constituting the county jail of Carson county as a branch penitentiary of the Territory of Utah" will be productive of the most important benefits to that portion of the Territory. I hope that the Legislature will concur with me in opinion in regard to the expediency of assessing a tax of one-half per cent., to be levied upon the property of Carson county, for the purpose of constructing the necessary buildings, not to exceed fifteen thousand dollars, and authorizing the commissioners to pledge the revenue derived from the specific tax, to enable them to secure the necessary funds.

Respectfully,

Your obedient servant,

A. CUMMING,

Governor of Utah.

On motion of Councilor Ferguson, the subjects contained in the foregoing message were referred to the committee on judiciary.

The following message was received from the House:

"The House has concurred in all your amendments to 'An act

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W. ... praying for the organiza-
tion of Summit county, would report favorably to said petition,
and would respectfully recommend the passage of the accom-
panying act."

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The following message was received from the House:

"The House has concurred in all your amendments to 'An act

incorporating Ogden city," except that in section 62, to which they do not concur, and ask your honorable body to reconsider said amendment."

The Council reconsidered their amendment in sec. 62 of the bill (H.F. No. 32) "An act incorporating Ogden city" to which the House did not concur, and,

On motion of Councilor Ray, the said amendment was stricken out, and the bill concurred in, as received back from the House.

Councilor Ferguson moved, "that the committee on claims and appropriations be instructed to include in the general Territorial appropriation bill, an appropriation of five thousand dollars to aid in the completion and roofing, and weatherboarding the sides of the bridge leading in a direction west on North Temple street, in Great Salt Lake City, over Jordan river; the same to be placed at the control of the Territorial Road commissioner, and expended as herein provided."

On motion of Councilor Carrington, the subject was referred to the committee on appropriations.

The following message was received from the House:

"The accompanying 'Resolution concerning the quota of public arms due Utah Territory from the United States,' has passed the House of Representatives, and is now submitted for the action of your honorable body."

Councilor Farr, chairman of committee on incorporations, made the following report:

"TO THE HON. THE PRESIDENT:

GENTLEMEN—Your committee, to whom was referred the petition of Franklin W. Young and other citizens of the city of Payson, would respectfully ask leave to report favorable to said petition, and would recommend the passage of the accompanying act."

Councilor F. D. Richards, chairman of committee on counties, made the following report:

"Your committee, to whom was referred the petition of Henry W. Brizzie and eighty-eight others, praying for the organization of Summit county, would report favorably to said petition, and would respectfully recommend the passage of the accompanying act."

Councilor Hardy, on behalf of committee on counties, made the following report:

"Your committee, to whom was referred an act concerning county surveyors, would respectfully report that, after due consideration of the subject, recommend the passage of said act."

Councilor Geo. A. Smith, chairman of committee on memorials, reported back,

(H. F. No. 54) "Memorial to Congress for a donation of lands to cities, towns and villages" amended, and recommended its adoption as amended.

Councilor Carrington presented, Memorial to the Legislative Assembly, signed by the president and secretary of the Deseret Agricultural and Manufacturing Society, praying for a protective tax to favor home manufactures.

The memorial was read, and,

On motion of Councilor Carrington, was referred to the committee on printing.

(H. F. No. 33) "An act further defining the duties of the officer of the Penitentiary and for other purposes" was taken up, read as reported amended by the committee on judiciary, and,

On motion of Councilor Geo. A. Smith, the bill was concurred in and ordered to be so returned to the House.

(H. F. No. 11) "An act concerning justices of the peace," was taken up, and,

On motion of Councilor Ferguson, the Council voted to not concur in the bill, and ordered that it be so returned to the House.

The bill (H. F. No. 35) "An act concerning proceedings to prevent the commission of crime," was taken up, and,

On motion of Councilor Carrington, the bill was not concurred in, and ordered to be returned to the House.

(C. F. No. 12) "An act providing for taxing certain imported merchandize and spirituous liquors," was taken up, read, and,

On motion of Councilor Ray, passed its second reading, read, and,

On motion of Councilor Woodruff, the bill was read the third time by its title, passed, and ordered to be sent to the House of Representatives for concurrence.

The House "Resolution, concerning quota of public arms due Utah Territory from the United States," was taken up, read, and,

On motion of Councilor Ferguson, the Resolution was concurred in, and ordered to be so returned to the House.

(C. F. No.13) "An act, granting to the city Council, of Payson city, the right to control the waters of Spring creek," as reported from the committee on incorporations, was taken up, read, and,

On motion of Councilor Carrington, passed to its second reading, read, and,

On motion of Councilor Carrington, was read the third time by its title, passed, and ordered to be sent to the House of Representatives for concurrence.

(C. F. No.14) "An act creating and defining the boundaries of Summit county," was taken up, as reported from the committee on counties, read, and,

On motion of Councilor Ferguson, the bill was referred to the committee on counties for amendment.

On motion of Councilor Ferguson, Councilor Farr was added to said committee for the consideration of said bill.

(H. F. No. 34) "An act concerning county Surveyors," was taken up, and,

On motion, passed it to its second reading, read, and,

On motion of Councilor Carrington, read the third time by its title, concurred in and ordered to be so returned to the House.

The House "Memorial for a donation of land to cities, towns and villages," was taken up, read as referred back amended by the committee on memorials, and,

On motion of Councilor Woodruff, was adopted as amended, and ordered to be sent to the House for concurrence in the amendment.

Councilor Carrington, Chairman of committee on judiciary, made the following report:

"TO THE HON. PRESIDENT AND COUNCIL:

GENTLEMEN:—Your committee, to whom was referred (H. F. No. 48) An act concerning the construction and protection of electric telegraph lines in the Territory of Utah, herewith return said act amended, and recommend its passage as amended."

The bill, (H. F. No. 48) "An act concerning the construction and protection of electric Telegraph lines, in the Territory of Utah," was taken up, as reported amended by the committee on Judiciary, read, and,

On motion of Councilor Ferguson, was referred to Councilor Carrington as a special committee for further consideration.

The following message was received from the House:

"The inclosed 'Resolution appointing A. P. Rockwood to investigate all matters in relation to the Penitentiary,' has passed the House and is now respectfully submitted for the action of your honorable body.

They have concurred in your amendments to (H. F. No. 49) 'An act providing for the times and places of holding the District courts for the Territory of Utah, and have concurred in your bill (C. F. No. 10) 'An act changing the rate of Territorial tax' which are respectfully returned."

The House "Resolution, appointing A. P. Rockwood to investigate all matters in relation to the Penitentiary," was taken up, read, and,

On motion of Councilor George A. Smith, was referred to committee on Penitentiary.

Councilor Snow, chairman of the committee on roads, etc., made the following report:

"The committee on roads, bridges, ferries, etc., to whom was referred (H. F. No. 19) 'An act to incorporate the Carson Railroad & Turnpike Company,' report adversely to its passage."

On motion of Councilor Ferguson, the report of the committee was accepted, and the bill referred to, (H. F. No. 19) was negatived, and ordered to be so returned to the House.

Councilor Carrington presented (C.F.No.15) "An act repealing an act named therein," which was read, passed, and,

On motion of Councilor Woodruff, was ordered to be read by its title, and sent to the House of Representatives for concurrence.

The bill was so read, and sent to the House for concurrence.

The committee on printing reported back the memorial to the Legislative Assembly for a protective tax to favor home manufactures, and recommended that it be printed as a matter of public interest.

On motion of Councilor Carrington, the Editors of the DESERT NEWS and MOUNTAINEER are requested to publish the same.

Councilor Farr, chairman of the committee on Penitentiary, made the following report:

"TO THE HON. THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN—Your committee, to whom was referred (H. F. No. 67) 'A resolution appointing A. P. Rockwood to investigate all matters in relation to the Penitentiary, recommended that the Council do not concur in the passage of said resolution.'

The resolution referred to was read, and,

On motion of Councilor Ferguson, the Council voted to not concur in the Resolution, which was ordered to be so returned to the House.

Councilor Snow, chairman of the committee on roads, etc., made the following report:

"The committee, to whom has been referred the petitions of citizens of Sanpete county requesting an appropriation of two hundred dollars to be applied on a certain road, would recommend that the committee on appropriations be instructed to include in the Territorial appropriation bill the sum of five thousand dollars to be expended under the direction of James Jones, of North Bend, to improve the road from North Bend, Sanpete county, to the mouth of Spanish Fork canyon."

On motion of Councilor Geo. A. Smith, the report was accepted and the committee on appropriations were instructed to incorporate the sum of five hundred dollars in the Territorial appropriation bill for the purpose designated.

Councilor Farr, in behalf of the committee on counties, to whom was referred (C. F. No. 14) "An act creating and defining the boundaries of Summit county," reported the same back with amendments; the title to read, "An act providing for the organization of Summit county, which was read, and,

On motion of Councilor Ferguson, was placed on its second reading, read, and,

On motion of Councilor Ferguson, the bill was read by its title, passed, and ordered to be sent to the House of Representatives for concurrence.

Journal read and approved.

On motion of Councilor Woodruff, Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
 Thursday, Jan. 17, 1861, 9:30 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. West presented, a communication from the auditor of public accounts for U. T., embodying an estimate of the stationery, etc., required in his office for the year 1861, which was read, and,

On motion, referred to the committee on claims and appropriations.

Mr. Bigler presented,

(H. F. No. 65) "An act establishing the salaries of certain Territorial officers," which was read, and,

On motion of Mr. Thurber, passed its first reading.

The report of the committee on revenue, pending the discussion of which, the House adjourned yesterday, was taken up, and,

On motions, the bills of the Territorial marshal and his deputy were rejected, and,

On motion of Mr. Rockwood, the \$900 overdrawn by the warden of the Penitentiary was granted, and the committee on claims instructed to incorporate the same in the Territorial appropriation bill.

On motion of Mr. Bullock, the chairman of committee on Penitentiary, was instructed to report more fully pertaining to their findings in the investigation of Penitentiary affairs.

The following communication was received:

"SECRETARY'S OFFICE, G. S. L. City, }
 January 16, 1861, }

HON. JOHN TAYLOR:

SIR:—By the request of His Excellency, the Governor, I herewith furnish for distribution in the House of Representatives:—

18	Volumes	Statutes at Large	'59-60.
18	"	"	"
18	"	"	"
6	"	"	"
			'58-59.
			'57-58.

42 vols.

I have the honor to be—Sir:

Your obedient servant,

FRANCIS H. WOOTTON, *Google*
 Secretary of the Territory."

Mr. Clawson, chairman of committee on claims, to whom was referred the report of the Territorial road commissioner in regard to the toll bridges across the Weber and Ogden rivers in Weber county, and recommending certain appropriations according to the act granting the right to James Brown, Sen., to erect toll bridges on said rivers, having duly investigated the same, recommended that \$1156 50 be appropriated out of any money in the Territorial treasury not otherwise appropriated to pay for the road and bridge across the flats, as per report of said commissioner, and the committee further recommended that said amount be not paid over only on the certificate of the Territorial road commissioner, certifying that the bridge has been repaired and in the condition required by the before-mentioned act.

On motion of Mr. Thurber, the report was received, and the committee on claims instructed in accordance therewith.

Mr. Clawson, in behalf of committee, to whom was referred the claim of Theodore McKean for services as Territorial road commissioner to date, having duly examined said claim recommended, that the sum of three hundred and forty-five dollars be appropriated to cover said claim and that the amount be included in the Territorial appropriation bill.

On motion of Mr. West, the report was received, and the committee on claims instructed accordingly.

Mr. Clawson, in behalf of committee to whom was referred the claim of Samuel Snyder, for work done on the road in Big canyon to the amount of \$3882.50, having duly investigated said claim reported, that, whereas; the Legislative Assembly at its last session repealed the charter, granting to Mr. Snyder the right to collect toll on said road, and,

Whereas, Mr. Snyder has not collected toll sufficient to repay him for means expended; therefore, the committee recommend that the sum of \$1,500 be appropriated to cover the amount due him in full, and that the same be included in the Territorial appropriation bill.

On motion of Mr. Moody, the report was not concurred in.

The following communication was received from the Governor, and read:

“EXECUTIVE OFFICE,

G. S. L. City, Jan. 17, 1861.

TO THE LEGISLATIVE ASSEMBLY OF UTAH:

GENTLEMEN:—In a former communication I recommended that the chief justice and his associates should be authorized to alternate in their several districts. I would again urge that subject upon your favorable consideration. It would be a source of serious incon-

venience to the community, to be deprived of district courts in the event of the sickness or absence of the judge to whom the district may have been assigned.

The act assigning the judges, has been in my office for several days, awaiting your action in fixing the time of holding courts.— This action, in my opinion, cannot with propriety be longer deferred.

I earnestly recommend that you fix the rate of legal interest at ten per cent. per annum, and damages on appeals for delay, not exceeding fifteen per cent. at the discretion of the court.

The "Act constituting the county jail of Carson county, a branch Penitentiary of the Territory of Utah" will be productive of the most important benefits to that portion of the Territory. I hope that the Legislature will concur with me in opinion in regard to the expediency of assessing a tax of one half per cent, to be levied upon the property of Carson county, for the purpose of constructing the necessary buildings, not to exceed fifteen thousand dollars, and authorizing the commissioners to pledge the revenue derived from the specific tax, to enable them to secure the necessary funds.

Respectfully,

Your Ob't. Servant,

A. CUMMING,

Governor of Utah."

On motion, the House adjourned for a recess of an hour.

2. p. m.

House re-assembled as per adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Mr. James presented,

[H. F. No. 66] "An act concerning the Probate Judge of the county of Carson;" which was read, and,

On motion passed its first reading, and was laid on the table, to come up its order.

Mr. Rockwook presented the following report:

"COMMITTEE ROOM, Jan. 17th, 1861.

MR. SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on Penitentiary, pursuant to instructions of the House this day, requiring the committee to make a more full report of the affairs of the Penitentiary, or neglect of any officers in furnishing the committee with access to the books etc., pertaining to the Penitentiary report,

That we notified the directors to appear before us on or about

the 21th of December, with all books and papers connected therewith; said directors appeared pursuant to the notice, but neglected to bring the books and papers, and consequently your committee could not arrive at the facts desired.

On or about the 10th of January your committee addressed a note to the Chairman of the Board, Ferrimor Little, clerk of the Penitentiary; Mr. Beatie, A. McRae, Warden, D. Carns, ex-Warden, to appear before us on Thursday, Jan. 10th, with all books and papers pertaining to the Penitentiary. The persons summoned appeared at the time and place appointed, but neglected to bring books and papers, with the exception of one book, which was of but little or no use to arrive at the facts desired; whereupon the chairman addressed a note of inquiry in relation to several matters connected with the business of the Penitentiary. This note was delivered by the chairman to the chairman of the board of directors, or to the clerk of the Penitentiary, do not distinctly recollect which, as they were both present according to the best of my knowledge and understanding, this note required no official return to be made to the committee on the 10th of January. Said report has not yet been received, and the law providing no means for your committee to compel attendance or compliance to the requisition referred to, neither had we any instruction from the House in what manner to enforce compliance. Therefore your committee laid the subject before you in two reports as spread on the minutes of Thursday, January 15th. On the presentation of this report, no action was taken conferring any authority to force compliance by the officers in question, but were discharged from further duties.

There are many subjects connected with the Penitentiary, that your committee deem necessary for investigation, and respectfully recommend that such action may be ordered as will enable a special committee to investigate all matters pertaining to the subject, and report during the first meeting of the next session.

A. P. Rockwood, Chairman."

On motion of Mr. Stout, the report was received.

Mr. Thurber presented "Resolution appointing A. P. Rockwood to investigate all matters in relation to the Penitentiary;" which was read, and,

On motion of Mr. Stout, adopted.

The following message was received from the Council:

"COUNCIL CHAMBER, Jan. 16, 1861.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your bill [H. F. No. 47] 'An Act changing the county seat of Carson county' has to-day been concurred in by the Council, and is herewith inclosed.

Your Memorial to Congress for the purchase of the Indian lands, and the removal of the Indians from the settlements, and locating them in valleys unoccupied by whites,' has also been concurred in by the Council, and is herewith inclosed.

Your bill [H. F. No. 8] 'An Act relating to the office of Territorial Superintendent of common schools' has not been concurred in by the Council, and is herewith returned.

The Council has agreed to the amendment proposed by the conference committee to the compilation act [C. F. No. 3] viz: the insertion of the words 'five per cent' in lieu of 'ten per cent' as originally existing in the bill, in section 24, on page 13.

The accompanying bill [C. F. No. 10] 'An Act changing the rate of Territorial tax' has passed the Council, and is now forwarded for the action of the House.

The Council has voted not to concur in your bill.

[H. F. No. 30] 'An Act to incorporate Virginia City' which is herewith returned accordingly.

The Council has voted not to concur in your bill.

[H. F. No. 46] 'An Act appointing A. P. Rockwood to remit or order the collection of the delinquent Territorial taxes and the defalcation of assessors and collectors' which is also herewith returned accordingly.

The Council has voted not to concur in your bill [H. F. No. 48] 'An Act in relation to attachments and garnishees' which is herewith returned accordingly.

Your bill [H. F. No. 49] 'An Act providing for the times and places of holding the District courts for the Territory of Utah' has been concurred in with amendments, and is forwarded for your action upon the amendments.

Respectfully etc.,

JOHN T. CAINE.

Secretary."

[C. F. No. 10] "An Act changing the rate of Territorial tax;" was read, and,

On motion, passed its first reading.

On motion of Mr. Stout, said bill was taken up on its second reading, and passed.

On motion, the bill passed its third reading.

[H. F. No. 49] "An Act providing for the times and places of holding the District courts for the Territory of Utah;" was read as amended by the Council, and,

On motion of Mr. Stout, the amendments were concurred in.

A message was received and read from the Council, informing the House that they had "reconsidered their amendment to section 62

of the Ogden city charter, and have voted to withdraw said amendment."

The following message was received from the Council:

"The Council has concurred in your bill [H. F. No. 33] 'An Act further defining the duties of the officers of the Penitentiary,' etc., which is herewith returned.

Your bills [H. F. No. 11] 'An Act concerning justices of the peace,' and [H. F. No. 35] 'An Act concerning proceedings to prevent the commission of crime,' have been considered by the Council, and it has voted not to concur with your honorable body in the passage thereof.

Respectfully, etc.,

L. E. HARRINGTON,

President pro tem."

(H. F. No. 56) "An Act to provide for building a county jail for Carson county;" was taken up on its second reading, and,

On motions passed.

On motion of Mr. Long, the bill passed its third reading.

Mr. Rockwood desired that his non-concurrence in said bill be spread on the minutes.

Mr. Clawson, in behalf of committee to whom was referred the report of the Territorial road commissioner, reported that after due consideration they recommended the following appropriations:

A further appropriation to cover the approximate one third cost of Jordan bridge.	\$2175 00
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A further appropriation for Weber bridge,	1000 00
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A further appropriation for the Great Salt Lake City and Weber valley road,	2000 00
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On motion of Mr. Benson, the report was received, and the committee on claims was instructed to include these appropriations in the Territorial appropriation bill.

Mr. Benson, in behalf of special committee, to whom was referred instructions to bring in a bill releasing the citizens of the Territory of Utah, from paying hard money for their Territorial tax, reported the accompanying bill entitled "An Act authorizing the assessors and collectors in the Territory of Utah to take wheat, corn, oats and barley, for county and Territorial taxes;" which was read, and,

On motion of Mr. Stout, Mr. Benson had leave to withdraw his bill.

Mr. Bigler presented "A bill appropriating money to Juab county for building a bridge across Salt creek, which,

On motion of Mr. Stout, was received and laid on the table, to come up in its order.

On motion of Mr. Stout, the engrossing committee were author-

ized to hire the necessary help to enable them to prosecute their labors in due season.

The minutes were called for, read and accepted.

On motion, the House adjourned until to-morrow morning at 9:30.

Benediction by the Chaplain.

FRIDAY, JANUARY 18, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Friday, Jan. 18, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President *pro tem*.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

“‘An act to provide for building a county jail for Carson county’ has passed the House, and is now submitted for your action.

The House has concurred in (C. F. No. 15) ‘An act repealing an act named therein.’

Very Respectfully,

THOMAS BULLOCK, Chief Clerk.”

Councilor Carrington, to whom as a special committee, the bill (H. F. No. 48) “An act concerning the construction and protection of electric telegraph lines in the Territory of Utah” was referred, reported back said bill amended, and so recommended its passage.

The bill was taken up on its second reading as amended, read, and,

On motion of Councilor Carrington, passed to its third reading by its title, so read, passed, and ordered to be sent to the House of Representatives for concurrence in the amendments.

The bill (H. F. No. 56) “An act to provide for building a county jail for Carson county” was taken up, read, and,

On motion of Councilor George A. Smith, was referred to the committee on counties with instructions to examine the existing law, giving all such matters into the hands of the County courts.

Councilor F. D. Richards presented, “Memorial to Congress for the preservation of the Union,” which was read, and,

On motion of Councilor Carrington, the Memorial was adopted and sent to the House for concurrence.

On motion of Councilor George A. Smith, the action of the Council negating the bill (H. F. No. 30) "An act to incorporate Virginia city" of the 16th inst., was reconsidered, and the bill, after having been obtained from the House, was placed on its passage, read, and,

On motion of Councilor George A. Smith, the council voted concurrence in the bill and ordered that it be so returned to the House.

Councilor Carrington presented "Resolution to convene the Legislative Assembly of 1861--62" which was read, and,

On motion of Councilor Carrington, the resolution was adopted and ordered to be sent to the House for concurrence.

Councilor Carrington presented "Resolution to print the journals of the special session of 1860" which was read, and,

On motion of Councilor Hardy, was adopted, and ordered, that it be sent to the House for concurrence.

Councilor Snow, chairman of special committee, made the following report:

"The special committee, to whom was referred 'An act defining the boundaries of counties, beg leave to recommend striking out all after the third section, and subjoin the following section:

Sec. 4. The eastern line of St. Mary county is hereby made the western boundary of the following named counties, viz: Washington, Iron, Beaver, Millard, Juab, Shambip, Tooele, Desert and Greasewood."

On motion of Councilor Carrington, the report of the committee was accepted; and,

The bill was read as amended, passed, and,

On motion of Councilor Carrington, the bill was read the third time by its title as amended, viz: "An act defining the boundaries of certain counties" passed, and ordered to be sent to the House for concurrence in the bill as amended.

Councilor F. D. Richards, chairman of committee on counties, made the following report:

"The committee on counties, to whom were referred a bill, intitled 'An act to provide for building a county jail for Carson county' have examined the act, and find that essentially all the powers therein contemplated, are already vested in the County court of Carson county in section 42 of chap. 1st, of 'An act in relation to the judiciary,' and therefore could not recommend the concurrence of the Council in the passage of the bill."

On motion of Councilor Carrington, the report of the committee was accepted and the bill was not concurred in, and ordered to be so returned to the House.

A bill was presented from Samuel Snyder for labor performed on the Big kanyon creek road, which was read, and,

On motion of Councillor Carrington, the committee on appropriations were instructed to incorporate in the Territorial appropriation bill the sum of one thousand dollars, to be paid to said Samuel Snyder for said labor, conditioned for his deed of relinquishment to all further right to said road.

The following message was received from the House:

"The House have concurred in (C. F. No. 12) 'An act providing for taxing certain imported merchandize and spirituous liquors.' Also your 'memorial to Congress for the preservation of the Union.' Also your 'resolution to convene the Legislative Assembly 1861--62.' Also your 'resolution to print the journals of the extra session of 1860.' Also your 'act providing for the organization of Summit county.' And with your amendments to 'memorial for a donation of lands to cities, towns and villages.' Also your amendments to 'an act concerning the construction and protection of electric telegraph lines in the Territory of Utah.'

They have also passed 'an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river,' and 'an act establishing the salaries of certain Territorial officers,' which are herewith sent for the action of your honorable body."

The bill (H. F. No. 60) "An act granting to Lewis Robison and Joshua Terry, the right of building a toll bridge across Green river" was taken up, read, and,

On motion of Councilor Ray, passed to its second reading—read, and,

On motion of Councilor Carrington, section 2 was amended; passed its second reading, and,

On motion of Councilor Carrington, the bill was read the third time by its title, passed, and ordered to be sent to the House for concurrence.

The Council took a recess till 6 p.m.

6 p.m.

Council resumed its sitting.

Roll called. Quorum present.

The following message was read from the House:

"The House has concurred with your bill 'An act to incorporate the Carson Quartz Mill Company,' with amendments, and have passed "An act further defining the duties of pound keepers and for other purposes,' which is herewith submitted for the action of your honorable body."

The bill (C. F. No. 4) "An act to incorporate the Carson Quartz

Mill Company" was read as received back amended from the House, and,

On motion of Councilor George A. Smith, the amendments of the House were concurred in, and the House notified accordingly.

The bill (H. F. No. 61) "An act further defining the duties of pound keepers, and for other purposes" was taken up, read, and,

On motion of Councilor Hardy, passed to its second reading, read, and,

On motion of Councilor Hardy, was referred to the committee on judiciary.

(H. F. No. 65) "An act establishing the salaries of certain Territorial officers" was taken up, read, and,

On motion of Councilor Carrington, the bill was amended by striking out a portion of the first section, and attaching the second section to the first.

The bill passed its second reading as amended, and,

On motion of Councilor Carrington, the title was amended to read "An act repealing 'an act establishing the salaries of certain Territorial officers.'"

The bill so passed its second reading.

On motion of Councilor Carrington, the bill was read the third time by its title, passed, and ordered to be sent to the House for concurrence in the amendments.

A message was received from the Governor, inclosing a letter from Judge Crosby.

On motion of F. D. Richards, the Council voted to solicit the House to meet in joint session at 8 p.m. in the Representatives' Hall for the purpose of electing certain officers made necessary to elect by recent acts of the Assembly. The House was notified accordingly.

The following message was received from the House:

"The House has consented to meet you in joint session at nine o'clock this evening.

They have concurred in your bill (C. F. No. 13) 'An act granting to the city council of Payson city the right to control the waters of Spring creek,' and have passed 'an act concerning the probate judge of the county of Carson,' which are herewith inclosed for your action, and have concurred in your amendments to 'an act repealing an act establishing the salaries of certain Territorial officers.'"

On motion of Councilor W. R. Smith, the Council agreed to the hour of nine for the joint session.

The bill (H. F. No. 66) "An act concerning the probate judge of the county of Carson" was taken up, and passed its first reading.

The bill was read the second time, and,

On motion of Councilor W. R. Smith, the bill was negatived and ordered to be so returned to the House.

The following message was received from the House:

"The inclosed memorial to Congress asking pre-emption has passed the House, and is respectfully submitted for your action."

The memorial to Congress asking pre-emption was read, and,

On motion of Councilor Carrington, was concurred in and ordered to be so returned to the House.

The following message was received from the House:

"The House has passed the inclosed 'act concerning fees of officers in Carson county,' which is now submitted for your action."

The House is ready to go into joint session."

The bill (H. F. No. 67) "An act concerning fees of officers in Carson county" was taken up, read, and,

On motion of Councilor Carrington, was passed to its second reading, read, and,

On motion of Councilor George A. Smith, the bill was read the third time by its title, passed, and ordered to be so returned to the House.

The Council repaired to the Representative's Hall, to meet the House in joint session.

[See Joint Session Minutes.]

Upon dissolution of the joint session the Council resumed their sitting.

On motion of Councilor Ray, the council voted to reconsider their action negating the bill (H. F. No. 56) "An act to provide for building a county jail for Carson county" and the bill was obtained from the House, and again placed on its passage, read, and,

On motion of Councilor Snow, the council voted concurrence in the bill, and ordered to be so returned to the House.

Councilor Farr, chairman of the committee on appropriations, reported, general appropriation bill for the session of 1860-61 which was read, passed, and,

On motion of Councilor Carrington, was ordered to be sent to the House of Representatives for concurrence.

The following message was received from the House:

"The House has concurred in (C. F. No. 5) 'An act to charter the Virginia, Washoe and Steamboat valley railroad company' and have passed the inclosed 'Territorial appropriation bill' which is submitted for your concurrence."

The "Territorial appropriation bill" was read as received from the House, and,

On motion of Councilor Hardy, placed on its second reading.

The bill was amended on its second reading, passed, and,

On motion of Councilor Carrington, the bill was concurred in as amended, and ordered to be sent to the House for their concurrence in the amendments.

The following message was received from the House:

"Messrs. James and West have been appointed a committee of conference on the bill (H. F. No. 66) 'An act concerning the Probate judge of the county of Carson,' to act with a like committee from the Council relative thereto."

On motion of Councilor Carrington, Councilor Farr was appointed a committee on the part of the Council, for the purpose designated by the House.

Councilor Snow presented, resolution to publish laws and distribute the laws and journals of the Legislative Assembly of 1860-61, which was read, and,

On motion of Councilor Carrington, was adopted and ordered to be sent to House of Representatives for concurrence.

Councilor Farr, the committee of conference in relation to "An act concerning the Probate judge of the county of Carson" reported favorably to the passage of the bill, and presented it for passage as received from the House.

On motion of Councilor Carrington, the Council reconsidered their vote negativing the bill (H. F. No. 66) "An act concerning the Probate judge of the county of Carson" and the bill was placed on its passage; read, and,

On motion of Councilor Carrington, the bill was concurred in, and ordered to be so returned to the House.

Councilor Carrington, chairman of the committee on judiciary, reported back (H. F. No. 61) "An act further defining the duties of pound keepers and for other purposes" and recommended that the Council do not concur in the passage of the bill.

On motion of Councilor Farr, the bill was negatived and ordered to be so returned to the House.

Councilor Hardy presented a resolution, complimentary of the secretary of the Territory, which was read, adopted, as follows, and sent to the House for concurrence;

"Be it resolved by the Council and House of Representatives of the Territory of Utah, that we tender our thanks to Hon. Francis H. Wootton, secretary of the Territory, for the courteous manner in which he has provided for the Legislative Assembly, and for his

urbane and gentlemanly bearing to the members during the present session.

Be it further resolved that this resolution be spread upon the journals of both Houses, and that a copy thereof be transmitted to the honorable secretary.

The following message was received from the House:

"The House has concurred with you in 'the general appropriation bill,' which is respectfully returned.

The House has concurred in your amendments to the 'Territorial appropriation bill,' with the exception of Moses Mecham \$16 William Marsden \$10, and Samuel C. Snyder \$1000, to which they do not concur, and they have reduced the appropriation to Juab county to \$125 and again forward the bill for your action."

On motion of Councilor Carrington, the Council voted to adhere to all their amendments made to the Territorial appropriation bill, and the House was notified accordingly.

The following message was received from the House;

"The House has concurred in your amendments to 'the Territorial appropriation bill' and also in your 'resolution complimentary to Hon. Francis H. Wootton.'

The House wishes to learn whether your honorable body has any further business for them, as our table is clear of all business."

The Hon. Francis H. Wootton, secretary of the Territory appeared at the bar of the Council and presented the following message from the Executive:

"EXECUTIVE OFFICE,
Great Salt Lake City, U. T. }

HON. D. H. WELLS, PRESIDENT OF THE COUNCIL:

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The following acts have been approved:

'An act incorporating Ogden city.'

'Memorial to Congress for donating lands to cities, towns and villages for school purposes.'

'An act to organize Summit county.'

'An act, adjourning Legislature to Court House, Great Salt Lake city.'

'Resolution to print journals of extra session Legislature.'

'An act authorizing secretary of Territory to receive or collect fees in certain cases.'

'An act repealing an act named therein,' (Tooele county seat.)

'An act changing the county seat of Garson county.'

'Resolution concerning quota of public arms, due Utah from United States.'

'An act concerning county surveyors.'

'Memorial to Congress for purchase of Indian lands, etc.'

'An act further defining the duties of officers of the Penitentiary and for other purposes.'

'An act granting the City Council of Payson city to control the waters of Spring creek.'

'An act constituting county jail of Carson county, a branch Penitentiary.'

'Memorial to Congress regarding pre-emption lands.'

'An act to provide for building county jail for Carson county.'

'An act concerning arrests.'

'An act providing for toll bridge across Green river.'

'An act concerning electric telegraph in the Territory of Utah.'

'An act to incorporate Virginia city.'

The following message was received from the House:

"The inclosed resolution complimentary to His Excellency Governor A. Cumming, has unanimously passed the House of Representatives, and is now respectfully submitted for the action of your honorable body."

The resolution referred to was read, and,

On motion of Councilor W. R. Smith, the resolution was concurred in.

Councilor Hardy presented the following resolution of approval to the administration of Governor Cumming:

"Resolved by the Legislative Assembly of the Territory of Utah, That we duly appreciate and highly approve of the impartial and dignified manner in which his Excellency Governor A. Cumming has presided over the executive department of this Territory, his firm and unflinching course among many serious difficulties, has won for him many friends, long may he live, as a specimen of high-minded independence."

On motion of Councilor Carrington, the secretary of the Council was requested to strike out the words "Governor and" out of such memorials as his Excellency might not approve, and the secretary of the Territory requested to forward said memorials to our Delegate to Congress, and the concurrence therein of the House was requested.

On motion of Councilor George A. Smith, Councilor Farr was appointed a committee to wait on His Excellency the Governor, and inform him that the Council were ready to dissolve if he had no further communication to make to them.

Councilor Farr returned and announced that he had waited upon His Excellency, who had no further communication to make, and knew of no reason why the Assembly should not dissolve.

On motion of Councilor Carrington, the Council dissolved.
Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City. }
January, 18, 1861, 9 p.m. }

The two branches of the Legislative Assembly met in joint session according to previous agreement.

The President *pro tem.* of the Council in the chair.

Roll of the Council called. Quorum of the Council present.

Roll of the House called. Quorum of the House present.

The joint session was declared open and ready for business, that the first business would be the election of a probate judge for Summit county.

A petition was read, from the citizens of Summit county, praying for the appointment of Henry W. Brizzee as probate judge of Summit county; also a letter from Mr. Brizzee declining to be put in nomination, and suggesting W. P. Vance as a proper person to fill the office.

On motion of Mr. E. T. Benson, William P. Vance was elected probate judge for Summit county.

The President announced that the election of a notary public for Summit county would be next in order.

On motion of Mr. Stout, Henry W. Brizzee was elected notary public for Summit county.

It was then announced by the President that five notaries public were to be elected for Carson county.

On motion of Mr. Clawson, Richard N. Allen, of Genoa city, was elected notary public for Carson county.

On motion of Mr. Clawson, Isaac Farewell, of Meno city, was elected notary public for Carson county.

On motion of Mr. Clawson, J. Martin Reese, of Virginia city, was elected notary public for Carson county.

On motion of Mr. Clawson, Alfred James, of Virginia city, was elected notary public for Carson county.

On motion of Mr. Clawson, T. Jefferson Atchison, of Silver city, was elected notary public for Carson county.

Journal read and approved.

On motion of Councilor Smith, the joint session dissolved.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Friday, Jan. 18, 1861, 9.30 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received and read:

"COUNCIL CHAMBER,
Jan. 17, 1861, 1 p.m. }

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The accompanying bill (C. F. No. 12) 'An act providing for taxing certain imported merchandise and spirituous liquors' has passed the Council, and is now submitted for the action of the House.

Your 'resolution concerning quota of public arms due Utah Territory from the United States,' is herewith returned concurred in by the Council.

The accompanying bill (C. F. No. 13) 'An act granting to the city Council of Payson city the right to control the water of Spring creek' has passed the Council and is herewith submitted for the action of the House.

Your bill (H. F. No. 35) 'An act concerning county surveyors' has been concurred in, and is herewith returned.

Your memorial for a donation of lands to cities, towns and villages, has been amended by the Council, and is respectfully returned for your concurrence in the amendments.

Respectfully,

JOHN T. CAINE,
Secretary."

(C. F. No. 13) "An act granting to the city Council of Payson city the right to control the waters of Spring creek, was taken up and read, and,

On motion of Mr. Thurber, passed its first reading.

(H. F. No. 54) "Memorial for a donation of lands to cities, towns and villages" was read as amended by the Council, and

On motion of Mr. West, the amendments were concurred in.

The following was received from the Council:

"Your bill (H. F. No. 19) 'An act to incorporate the Carson Railroad and Turnpike Company' has been negatively by the Council and is now respectfully returned.

The accompanying bill [C. F. No. 15], "An act repealing an act

named therein" has passed the council, and is now submitted for the action of your honorable body.

Your "Resolution appointing A. P. Rockwood to investigate all matters in relation to the Penitentiary" has met with a non-concurrence on the part of the Council, and is now respectfully returned herewith.

[C. F. No. 15] "An act repealing an act named therein," was taken up and read, and,

On motion of Mr. Rockwood, concurred in.

On motion, [C. F. No. 4] "An act to incorporate the Carson Quartz Mill Company" was taken up on its re-consideration, and,

On motion of Mr. Rockwood, was laid on the table to come up in its order.

[H. F. No. 51] "An Act appropriating money for a bridge across Beaver river; and for the Territorial road in Beaver county," was taken up on its second reading, and,

On motion of Mr. Wandell, said bill was withdrawn, and Mr. Wandell substituted the following motion:

"That the committee on claims and appropriations be instructed to include in the Territorial appropriation bill \$300 to be expended under the direction of the county court of Beaver county in the construction of a bridge across the Beaver river, and for repairs on the Territorial road in Beaver county, payable on the certificate of the Territorial road commissioner, that the money has been judiciously expended." Seconded and carried.

[H. F. No. 61] "An act further defining the duties of pound keepers and clerks of the county courts," was read, and,

On motion of Mr. Bullock, passed its first reading.

On motion, referred to a special committee.

The Speaker appointed Messrs. Benson, Stout and West said committee.

[H. F. No. 65] "An act establishing the salaries of certain Territorial officers" was taken up on its second reading, and,

On motion of Mr. Bullock, passed.

The bill was taken up on a reconsideration of its second reading, and pending a motion to amend, the House adjourned for one hour.

2 p.m.

House called to order by the Speaker.

Roll called. Quorum present.

[H. F. No. 55] "An act establishing the salaries of certain Territorial officers" was read, and,

On motion, passed its second reading.

The bill passed its third reading, by its title.

A memorial from the Deseret Agricultural and Manufacturing Association was read, which was accompanied by

[C. F. No. 12] "An act providing for taxing certain imported merchandize and spirituous liquors" which was read, and,

On motion of Mr. Rockwood, passed its first reading.

Said bill was taken up on its second reading, and,

On motions, passed.

The bill passed its third reading by its title.

The following message was received from the Council:

"The Council has concurred in your bill [H. F. No. 58] 'An act concerning the construction and protection of electric telegraph lines in the Territory of Utah' with certain amendments, which are respectfully submitted for the action of your honorable body."

On motion, said bill was read as amended by the Council, and,

On motion of Mr. Stout, the amendments were concurred in.

Mr. Rockwood moved that the committee on claims be instructed to include in the Territorial appropriation bill, the sum of five hundred dollars, to be expended in improving the road from North Bend, San Pete county, to the mouth of Spanish Fork kanyon, under the direction of the Territorial road commissioner, and payable on his certificate.

Seconded and carried.

The following message was received from the Council:

"The accompanying bill [C. F. No. 14] 'An act providing for the organization or Summit county,' has passed the Council and is now respectfully submitted for the action of the House, which was read, and,

On motion of Mr. Rockwood passed its first reading. Said bill was taken up on its second reading, and,

On motion of Mr. Long, passed.

The bill was taken up on its third reading, and,

On motion of Mr. Rockwood, passed.

A petition from citizens of Summit county praying for the appointment of Henry W. Brizzee as Probate judge, was read, and,

On motion of Mr. Rockwood, laid on the table to come up in joint session.

The following was received from the Council:

"The Council has adopted 'Memorial to Congress, for the preservation of the Union,' which is herewith submitted for the action of your honorable body.

The Council has voted to re-consider their action which negatived your bill (H. F. No. 30) 'An act to incorporate Virginia city,' and respectfully request that the bill may be returned to them for further action."

"Memorial to Congress for the preservation of the Union," was read, and,

On motion of Mr. Stout, the House concurred in its adoption.

(H. F. No. 60) "An act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river," was read, and,

On motion of Mr. McGaw, passed its first reading.

Said bill was taken up on its second reading, and,

On motions, passed.

The bill was read by its title, and so passed the third reading.

The following was received from the Council:

"The Council has re-considered its action of the 16th instant, which negatived your bill ((H. F. No. 30) 'An act to incorporate Virginia city,' and has voted to concur with your honorable body in the passage thereof.

The Council has adopted the inclosed resolutions, viz: 'resolution to convene the Legislative Assembly of 1861--62,' and 'resolution to print the journals of the extra session of 1860,' which are now respectfully submitted for the action of your honorable body."

"Resolution to print the journals of the extra session of 1860," was read, and,

On motion, the House concurred in its adoption.

"Resolution to convene the Legislative Assembly for 1861--62" was read, and,

On motion of Mr. Bullock, the House concurred in the adoption thereof.

(C. F. No. 4) "An act to incorporate the Carson Quartz Mill Company," was taken up on its re-consideration, and read by sections, and,

On motions, passed.

Mr. James voting in the negative on every section.

The bill passed its third reading by its title.

The following was received and read:

"COUNCIL CHAMBER, Jan. 18, 1861.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your bill (H. F. No. 56) "An act to provide for building a county jail for Carson county," has been considered by the Council and negatived; the county court of Carson county being vested with all the powers therein contemplated, by virtue of sec.

42, chap. 1, in 'An act in relation to the judiciary' approved Feb. 4, 1852.

The bill is respectfully returned.

Very Respectfully,

L. E. HARRINGTON,

President *pro tem*.

JOHN T. CAINE, Secretary."

The following was also received from the Council:

"The Council has concurred in your bill (H. F. No. 60) 'An act defining the boundaries of counties,' amended, by striking out all of the original bill after the 3d section, by adding a new section to be called 'sec. 4,' and by amending the title to read 'An act defining the boundaries of certain counties,' which amendments are now submitted for the action of your honorable body."

(H. F. No. 50) "An act defining the boundaries of certain counties," was read as amended, and,

On motion of Mr. Rockwood, the amendments were concurred in, Mr. Benson, in behalf of special committee, to whom was referred a bill defining the duties of poundkeepers, reported the same back with amendments, and recommended its passage.

Said bill was taken up on its second reading, and,

On motion of Mr. Benson, passed.

The bill passed its third reading by its title.

Mr. Benson moved that the committee on appropriations be instructed to incorporate the sum of \$750 in the Territorial appropriation bill to be expended under the supervision of the Territorial road commissioner, payable on his certificate, for the purpose of repairing the road leading from Box Elder valley to Cache valley. Seconded and carried.

At 5 p.m., on motion, the House adjourned for one hour.

6½ p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

The following communication was received and read:

"EXECUTIVE OFFICE, G. S. L. City, U. T., }
18th January, 1861. }

GENTLEMEN:—I have the honor of submitting a note of this date addressed to me by the Hon. Henry R. Crosby, Associate Justice, in which he suggests the change of time of holding the District

court in the first district, from the first Monday of June, in each year, to the fourth Monday of March, in each year.

I trust that the Legislature will change the time of holding the court from the first Monday in June to the fourth Monday in March, in each year; this change I deem to be of importance to the public interest.

Allow me again to call your attention to the necessity of passing a law providing for regulating interest upon money, and also for damages on judgments appealed to the Supreme court for delay.

The bill authorizing judges to alternate, I trust will be passed, without my calling your attention any further to the subject.

Respectfully,

Your Ob't. Servant,

A. CUMMING.

HON. JOHN TAYLOR,

Speaker of the House."

The following message was received from the Council:

"Your bill [H. F. No. 60] 'An act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river' has been concurred in by the Council with an amendment to sec. 2, and is now returned to the House for further action."

Said bill was taken up and read, as amended, and,

On motion of Mr. Thurber, the amendments were concurred in.

Mr. Clawson, chairman of committee on claims and appropriations, to whom was referred the petition of the citizens of Washington county for an appropriation for making a road from Toquerville to Grafton, on the Rio Virgin, having duly investigated the subject, recommend an appropriation of \$150. for said purpose.

On motion of Mr. Crosby, the report was received and the committee on appropriations instructed accordingly.

Mr. Greene, to whom was referred

[H. F. No. 64] "Memorial to Congress asking the extension of pre-emption claims to lots of five acres and upwards" reported the same back amended with recommendation that it pass.

On motion of Mr. Stout, the memorial was adopted.

(C. F. No. 13) "An act granting to the city Council of Payson city, the right to control the waters of Spring creek" was read, and,

On motion of Mr. Long, passed its second reading.

The bill passed its third reading by its title.

(H. F. No. 66) "An act concerning the Probate judge of the county of Carson." was taken up on its second reading, and,

On motion of Mr. Long, passed.

The bill was read by its title, and so passed its third reading.

The following message was received from the Council:

"The House bill, entitled 'An act establishing the salaries of certain Territorial officers' has been concurred in by the Council with the amendment of striking out a portion of the first section and attaching the second section to the first; and the title amended to read 'An act repealing an act establishing the salaries of certain Territorial officers.'

It is herewith returned and your concurrence in the amendment is solicited."

"Said bill was read, and, on motion of Mr. Woolley, the amendment was concurred in.

The following was received from the Council:

"The Council respectfully solicit a joint session of the two Houses in the Representatives hall, this evening at 8 p.m., for the purpose of electing certain officers made necessary to elect by recent acts of the Assembly."

The following message was received from the Council:

"The Council has concurred in the amendments of the House to (C. F. No. 4) 'An act to incorporate the Carson Quartz Mill Company.'

The Council has concurred in your amendment to (C. F. No. 4) 'An act to incorporate the Carson Quartz Mill Company.'

On motion of Mr. Rockwood, the solicitation of the Council for joint session was concurred in, with the request that it be deferred till 9 p.m.

H. F. No. 57) "An act to regulate the fees of officers in Carson county," was taken up on its second reading, and laid on the table by consent, waiting the preparation of a substitute.

"A bill appropriating money to Juab county, for building a bridge across Salt creek," was read, and,

On motion of Mr. Benson, Mr. Bigler had leave to withdraw the same; which he did.

Mr. Bigler moved,

That the committee on claims and appropriations be instructed to incorporate the sum of \$250, in the Territorial appropriation bill to be expended under the direction of the county court of Juab county for the purpose of building a bridge across Salt creek on the military road in said county.

Seconded and carried.

Mr. Long moved,

That the committee on claims be instructed to include in the Territorial appropriation bill the following amounts;

Robert L. Campbell for services as engrossing clerk	
four days	\$12.00
John Oakley, do	12.00
" Henry A. Hedger, two days	6.00
Seconded and carried.	

Mr. Rockwood presented claim of Thomas Bullock, for services as engrossing clerk four and a half days, \$13 50.

On motion, the claim was granted, and the committee on claims instructed to incorporate the same in the Territorial appropriation bill.

Mr. Rockwood presented, communication of Daniel Carn in relation to his petition as ex-warden of the Penitentiary, which was read, and,

On motion of Mr. Bullock, the communication was laid on the table indefinitely.

Mr. James presented,

(H. F. No. 67) "An act concerning fees of officers in Carson county," which was read, and,

On motion of Mr. Nebeker, passed its first reading.

On motion of Mr. Stout, the bill was taken up on its second reading and passed.

The bill was read by its title and so passed.

Mr. Clawson, chairman of committee on claims and appropriations, presented, "Territorial appropriation bill," which was read, and,

On motion of Mr. Rockwood, passed its first reading.

The House went into joint session.

(See Joint Session Minutes.)

On joint session retiring, the House resumed its sitting.

On motion, the Territorial appropriation bill was taken up on its second reading, amended, and,

On motion of Mr. Clawson, passed.

Said bill passed its third reading by its title, with instructions that it be sent to the Council for concurrence.

The following message was received from the Council:

"The Council has re-considered your bill (H. F. No. 56) 'An act to provide for building a county jail for Carson county' and has voted to concur with your honorable body in its passage."

(C. F. No. 5) "An act to charter the Virginia, Washoe and Steamboat Valleys Railroad Company," was read, and,

On motion of Mr. Stout, the House concurred with the Council in the passage of said bill.

The following was received from the Council:

"Your bill (H. F. No. 66) entitled 'An act concerning the Probate judge of the county of Carson' has been negatived by the Council, and is now respectfully returned.

Your memorial to Congress, asking pre-emption is returned herewith concurred in by the Council.

Your bill (H. F. No. 67) 'An act concerning fees of officers in Carson county' has been concurred in and is herewith returned to your honorable body."

Mr. James moved, that a committee of conference be appointed to act with a like committee from the Council, on a re-consideration of their action on (H. F. No. 66) "An act concerning the Probate judge of the county of Carson." Seconded and carried.

The Speaker appointed Messrs. James and West said committee.

The following message was received from the Council:

"The accompanying 'General appropriation bill' for the session of 1860-61, has passed the Council, and is now submitted for the action of your honorable body."

Said "General appropriation bill" was read, and,

On motion of Mr. Haight, concurred in.

The business on the table being called up, the communication of His Excellency, Gov. Cumming and Judge Crosby, were re-read, and,

On motion of Mr. Benson, His Excellency's communication was replied to as follows:

"REPRESENTATIVES' HALL, JAN. 18, 1861.

HIS EXCELLENCY GOV. A. CUMMING:

SIR:—Your note of Jan 18th has been received and duly considered by the House. In reply, permit me to say, that the bill referred to in the third paragraph in your Excellency's note passed the House, and was not concurred in by the Council, consequently unless it is reconsidered by the Council we can take no further action upon it.

The ninth section of the organic act compels the judge to reside in the district to which he has been appointed, and, for this reason, in the opinion of the House, the alternation requested by your Excellency, cannot be accomplished.

Your Excellency's suggestion in regard to the changing of the time of holding the courts, have also been duly considered, and the House would be very glad to comply with your suggestions, and the request of His Honor Judge Crosby if it did not conflict with the interest of their constituents, but as the time you suggest would

be one of the busiest seasons of the year, namely, seed time, it would be impracticable to hold courts, as it would be impossible to obtain grand and traverse juries, mittimussses, etc.

We therefore respectfully decline to comply.

In relation to the Judges alternating; however much we may desire to suit the feelings of your Excellency, and those of their Honors the Judges, it is considered to be contrary to the provisions of the organic act which states that a judge must reside in the district to which he is assigned. To make any alteration, it is believed would be assuming authority that this House does not possess.

With sentiments of high regard, I have the honor to be;

Yours Respectfully,

JOHN TAYLOR,

Speaker of the House of Representatives.

The following was received from the Council:

"The Council has passed the 'Territorial appropriation bill' with certain amendments, which are respectfully submitted for the concurrence of the House."

Said "Territorial appropriation bill" was read as amended, and,

On motions, several amendments were not concurred in, and the bill was returned for the further action of the Council.

The following messages were received from the Council:

"The Council has re-considered its vote of this day, which negatived your bill, (H. F. No. 66) 'An act concerning the Probate judge of the county of Carson' and has voted to concur with the House in its passage.

The Council has voted not to concur in your bill (H. F. No. 61) 'An act further defining the duties of pound keepers and for other purposes,' which is herewith respectfully returned.

The Council has voted to adhere to their amendments to the Territorial appropriation bill' and have returned the same for further consideration."

The Council has passed the inclosed.

'Complimentary resolution to the Secretary of the Territory,' which is herewith submitted for your action."

On motion of Mr. Benson, the House concurred in the amendments to the "Territorial appropriation bill."

The complimentary resolution to the Secretary, was read, and,

On motion of Mr. Benson, concurred in.

Mr. Rockwood moved,

That a committee be appointed to wait upon the Governor to learn if his Excellency had any further communication to make to the House.

The Speaker appointed Messrs. Benson and West said committee.

Mr. Benson, in behalf of committee appointed to wait upon the Governor, reported that his Excellency tendered his respects to the House for the courtesy with which they had treated his communications, and said he would shortly send a communication enumerating the acts which he had approved, and also those rejected, and that further than that he had no business to offer.

Secretary Wootton, in behalf of the Governor, appeared, and read a communication from his Excellency, containing a list of bills approved of, also of those vetoed.

Mr. Greene presented,

Complimentary resolution to his Excellency Gov. A. Cumming; which was read, and,

On motion of Mr. Benson, adopted.

The House tendered their unanimous thanks to the Speaker, for his courtesy and honorable bearing in the chair which he had so ably filled during this session now so favorably and harmoniously closed.

The following message was received:

"The accompanying 'resolution to publish the laws and distribute the laws and journals of the Legislative Assembly of 1860-61' has passed the Council and is now respectfully forwarded for the concurrence of the House."

Said resolution was read, and,

On motion of Mr. Moody, concurred in.

The following was also received from the Council;

"The Council has adopted the inclosed 'resolution of approval of the administration of Gov. Cumming,' which is herewith submitted for your concurrence.

The Council has concurred in your 'complimentary resolution to His Excellency Gov. A. Cumming.'"

The resolution of approval of the administration of Gov. Cumming was read, and,

On motion of Mr. Stout, heartily concurred in.

The following message was received from the Council:

"The secretary of the Council is instructed by the Council to strike out the words 'Governor and' from all such memorials of the present Assembly as may not be approved by the Governor, and the Secretary of the Territory is requested to forward the same to Hon. W. H. Hooper, our Delegate to Congress."

On motion of Mr. Clawson, the instructions of the Council to their

Secretary were concurred in, and the same adopted as the sentiments of the House.

The following was received from the Governor:

"EXECUTIVE OFFICE, G. S. L. City,

To HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

I have the honor to inform you that the Territorial appropriation bill is deferred for further consideration,

A. CUMMING,

Governor of Utah Territory."

On motion of Mr. Rockwood, the House dissolved, and the Speaker declared accordingly.

Benediction by Mr. Benson.





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JOURNALS

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OF THE

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OF THE

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Washington D.C.

BY AUTHORITY:
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**NAMES OF THE OFFICERS AND MEMBERS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH,
WITH THE
STANDING COMMITTEES.**

ELEVENTH ANNUAL SESSION 1861-62.

OFFICERS OF THE COUNCIL.

President—DANIEL H. WELLS.

Secretary—THOS. W. ELLERBECK.

Assistant-Secretary—PATRICK LYNCH.

Sergeant-at-Arms—JOHN SMITH.

Messenger—SAMUEL L. SPRAGUE.

Foreman—ROBERT PIERCE.

Chaplain—JOSEPH YOUNG.

MEMBERS:

Great Salt Lake, Tooele and Shambip Counties:

DANIEL H. WELLS, WILFORD WOODRUFF,
ALBERT CARRINGTON, DANIEL SPENCER,
FRANKLIN D. RICHARDS.

Davis County:

JOHN W. HESS.

Weber, Box Elder, Cache and Malad Counties:

LORENZO SNOW, EZRA T. BENSON.

Utah and Cedar Counties:

LEONARD E. HARRINGTON, JAMES W. CUMMINGS.

Juab and Sanpete Counties:

ORSON HYDE.

Millard and Beaver Counties:

WILLIAM J. COX.

Iron and Washington Counties:

GEORGE A. SMITH.

STANDING COMMITTEES.

—o—

- On Judiciary**—ALBERT CARRINGTON, L. E. HARRINGTON, GEO. A. SMITH, ORSON HYDE.
- On Claims and Appropriations**—JAMES W. CUMMINGS, W. WOODRUFF, LORENZO SNOW.
- On Petitions and Memorials**—GEO. A. SMITH, F. D. RICHARDS, O. HYDE, E. T. BENSON.
- On Revenue**—W. WOODRUFF, L. E. HARRINGTON, JOHN W. HESS, DANIEL SPENCER.
- On Elections**—EZRA T. BENSON, WM. J. COX, LORENZO SNOW.
- On Counties**—F. D. RICHARDS, JOHN W. HESS, JAMES W. CUMMINGS, A. CARRINGTON.
- On Roads, Bridges, Ferries and Kanyons**—ORSON HYDE, GEO. A. SMITH, DANIEL SPENCER, L. E. HARRINGTON.
- On Education**—LORENZO SNOW, ORSON HYDE, F. D. RICHARDS, ALBERT CARRINGTON.
- On Engrossing**—ORSON HYDE, ALBERT CARRINGTON, J. W. CUMMINGS.
- On Printing**—WILFORD WOODRUFF, E. T. BENSON, L. E. HARRINGTON.
- On Agriculture, Trade and Manufactures**—W. WOODRUFF, L. E. HARRINGTON, DANIEL SPENCER, JOHN W. HESS.
- On Militia**—F. D. RICHARDS, ORSON HYDE, WM. J. COX.
- On Incorporations**—LORENZO SNOW, J. W. CUMMINGS, GEO. A. SMITH.
- On Library**—EZRA T. BENSON, WILFORD WOODRUFF.
- On Public Domain and School Lands**—A. CARRINGTON, LORENZO SNOW, J. W. CUMMINGS, W. J. COX.
- On Penitentiary**—EZRA T. BENSON, DANIEL SPENCER, L. E. HARRINGTON.

MEMBERS OF THE HOUSE.

Great Salt Lake County:

JOHN TAYLOR,	HOSEA STOUT,
HIRAM B. CLAWSON,	EDWIN D. WOOLLEY,
JOSEPH A. YOUNG,	JOHN V. LONG,
ALBERT P. ROCKWOOD,	JOHN M. MOODY,
HORACE S. ELDREDGE.	

Davis County:

JOSEPH HOLBROOK,	THOMAS GROVER.
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Weber County:

CHAUNCEY W. WEST,	AARON F. FARR.
-------------------	----------------

Cache County:

PETER MAUGHAN.

Tooele and Shambip Counties:

JOHN ROWBERRY.

Utah and Cedar Counties:

ALBERT K. THURBER,	BENJAMIN F. JOHNSON,
LORENZO H. HATCH.	

Juab County:

JONATHAN MIDGLEY.

Sanpete County:

BERNARD SNOW.

Millard County:

THOMAS CALLISTER.

Beaver County:

EDWARD W. THOMPSON.

Iron and Washington Counties:

WILLIAM CROSBY,	SILAS S. SMITH.
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Summit and Green River Counties:

THOMAS RHOADS.

OFFICERS OF THE HOUSE:

Speaker---JOHN TAYLOR.

Chief Clerk---WILLIAM CLAYTON.

Assistant Clerk---ROBERT L. CAMPBELL.

Sergeant-at-Arms---JAMES F. ALLRED.

Messenger---HEBER JOHN RICHARDS.

Foreman---FRANCIS KIRBY.

Chaplain---WM. W. PHELPS.

STANDING COMMITTEES.

- On Judiciary**---HOSEA STOUT, CHAUNCEY W. WEST, AARON F. FARR.
- On Claims and Appropriations**---HIRAM B. CLAWSON, EDWIN D. WOOLLEY, ALBERT P. ROCKWOOD.
- On Petitions and Memorials**---JOSEPH A. YOUNG, JOHN V. LONG, ALBERT K. THURBER.
- On Revenue**---CHAUNCEY W. WEST, HOSEA STOUT, HORACE S. ELDREDGE, JOHN M. MOODY.
- On Elections**---AARON F. FARR, SILAS S. SMITH, THOMAS RHOADS.
- On Counties**---SILAS S. SMITH, BENJAMIN F. JOHNSON, PETER MAUGHAN.
- On Roads, Bridges, Ferries and Kanyons**---BERNARD SNOW, THOMAS GROVER, THOMAS RHOADS, JOHN ROWBERRY.
- On Education**---ALBERT K. THURBER, BENJAMIN F. JOHNSON, BERNARD SNOW.
- On Engrossing**---JOHN V. LONG, JOSEPH A. YOUNG, LORENZO H. HATCH.
- On Printing**---HIRAM B. CLAWSON, THOMAS CALLISTER, JONATHAN MIDGLEY.
- On Agriculture, Trade and Manufactures**---EDWIN D. WOOLLEY, WM. CROSBY, PETER MAUGHAN, THOMAS GROVER.
- On Militia**---ALBERT P. ROCKWOOD, CHAUNCEY W. WEST, THOMAS CALLISTER, EDWARD W. THOMPSON.
- On Incorporations**---JOSEPH HOLBROOK, EDWARD W. THOMPSON, JOHN ROWBERRY.
- On Library**---LORENZO H. HATCH, EDWARD W. THOMPSON, AARON F. FARR, JOHN V. LONG.
- On Public Domain and School Lands**---HORACE S. ELDREDGE, JONATHAN MIDGLEY, JOHN M. MOODY, JOSEPH HOLBROOK, WILLIAM CROSBY.
- On Penitentiary**---ALBERT P. ROCKWOOD, EDWIN D. WOOLLEY, LORENZO H. HATCH.

JOURNALS
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TERRITORY OF UTAH.

ELEVENTH ANNUAL SESSION—1861-62.

MONDAY, DECEMBER 9, 1861.

COUNCIL.

COUNTY COURT HOUSE, G. S. L. City, }
Monday, Dec. 9th, 1861. }

Pursuant to law, the members elect of the Council of the Legislative Assembly met in the east room of Great Salt Lake County Court House.

Prayer by Joseph Young, sen., Chaplain of last session.

On motion of Councilor Carrington, Councilor D. H. Wells was elected President pro tem.

On motion of Councilor Harrington, Patrick Lynch was elected Secretary pro tem.

Moved by Councilor Richards that a committee on credentials be appointed. Whereupon,

The President appointed Councilors Hyde, Richards and Cummings—said committee.

Councilor Hyde, chairman of committee on credentials, made the following report:

“The committee on credentials respectfully report that the following named gentlemen are legally entitled to seats in the Council

of the Legislative Assembly of the Territory of Utah at its session of 1861-2.

ORSON HYDE, Chairman of Committee.

Daniel H. Wells, Wilford Woodruff, Albert Carrington, Daniel Spencer, and Franklin D. Richards, from Great Salt Lake, Tooele and Shambip counties.

John W. Hess, from Davis County.'

Lorenzo Snow and Ezra T. Benson from Weber, Box Elder, Cache and Malad counties.

Leonard E. Harrington and James W. Cummings, from Utah and Cedar counties.

Orson Hyde, from Juab and Sanpete counties.

William J. Cox, from Beaver and Millard counties.

George A. Smith, from Iron and Washington counties."

On motion of Councilor Hess the report was accepted.

The roll was then called by the Secretary pro tem.

Quorum present.

Moved by Councilor Carrington, that a committee be appointed to wait on the Hon. Elias Smith, Judge of Probate for Great Salt Lake County, and request him to attend in the Council Chamber to qualify the members and officers of the Council.

Councilors Harrington and Cox were appointed said committee, and soon returned introducing Hon. Judge Smith, who administered to the several members the customary oath.

The following officers were then elected by the members, and took the oath of office, administered by the Hon. Judge Smith:

DANIEL H. WELLS, President.

THOS. W. ELLERBECK, Secretary.

PATRICK LYNCH, Assistant Secretary.

JOHN SMITH, Sergeant-at-arms.

SAMUEL L. SPRAGUE, Messenger.

ROBERT PIERCE, Foreman.

JOSEPH YOUNG, sen., Chaplain.

Moved by Councilor Harrington, that a committee be appointed to notify the House of the organization of the Council.

The President appointed Councilors Richards and Hess said committee.

The following resolution was received from the County Court of Great Salt Lake County:

"TO THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

GENTLEMEN:—The following, among other resolutions that were passed at the last meeting of the County Court of Great Salt Lake county, is respectfully submit to your honorable body:

‘Resolved, That for the holding of the eleventh and any subsequent session of the Legislature that may be held during our Territorial existence, the use of the Court House, reserving such rooms as are occupied as county offices, be and is hereby tendered to the Legislative Assembly, the members of which will doubtless concur in the opinion we entertain that, under existing circumstances, the Government should be at the expense of providing and furnishing halls for Legislative purposes, and take such measures as may be deemed expedient to provide for the payment to Great Salt Lake county of a reasonable rent for the use of said House when thus occupied. By order of the court,

E. W. EAST, Clerk.

Great Salt Lake City, Dec. 9, 1861.”

Councilor Carrington moved, that a committee of two be appointed, in connection with a like committee from the House, to wait on his Excellency the Governor, and inform him that the Assembly is organized and ready to receive any communication he may wish to make.

The President appointed Councilors Harrington and Benson said committee.

Messrs. Woolley and Young notified the Council that the House was organized and ready to proceed to business.

The committee appointed to wait on his Excellency the Governor returned and reported that he would be pleased, should it suit their convenience, to communicate to the Assembly in joint session, at 11 a.m. on the 10th inst.

On motion of Councilor Richards, the freedom of the Council was extended to his Excellency Governor Dawson, the Hon. Secretary Fuller, their Hons. the Judges and other Federal officers of the Territory of Utah; also Ex-Governor Brigham Young, the Ex-President of the Council, and ex-members of the Legislative Assembly, the Hon. Wm. H. Hooper, the County court of Great Salt Lake county, and its officers, and also to the Hon. the Mayor and Council of Great Salt Lake City.

The following communication was received from the House:

REPRESENTATIVES’ HALL,
Monday, Dec. 9th, 1861. }

“TO THE HON. THE PRESIDENT AND COUNCIL

OF THE LEGISLATIVE ASSEMBLY:

GENTLEMEN:—The House of Representatives will be pleased to meet with the Council in joint session to-morrow at 10½ o’clock a.m.

Very respectfully,

JOHN TAYLOR, Speaker.”

On motion of Councilor Woodruff, the Council concurred.
The President appointed the following

Standing Committees of the Council:

- On Judiciary:* Albert Carrington, L. E. Harrington, Geo. A. Smith and Orson Hyde.
- On Claims and Appropriations:* James W. Cummings, W. Woodruff and Lorenzo Snow.
- On Petitions and Memorials:* Geo. A. Smith, F. D. Richards, O. Hyde and E. T. Benson.
- On Revenue:* W. Woodruff, L. E. Harrington, John W. Hess and Daniel Spencer.
- On Elections:* Ezra T. Benson, Wm. J. Cox and Lorenzo Snow.
- On Counties:* F. D. Richards, Jno. W. Hess, Jas. W. Cummings and A. Carrington.
- On Roads, Bridges, Ferries and Kanyons:* Orson Hyde, Geo. A. Smith, Daniel Spencer and Leonard E. Harrington.
- On Education:* Lorenzo Snow, Orson Hyde, F. D. Richards and Albert Carrington.
- On Engrossing:* Orson Hyde, Albert Carrington and J. W. Cummings.
- On Printing:* Wilford Woodruff, E. T. Benson, and L. E. Harrington.
- On Agriculture, Trade and Manufactures:* W. Woodruff, L. E. Harrington, Daniel Spencer and John W. Hess.
- On Militia:* F. D. Richards, Orson Hyde and Wm. J. Cox.
- On Incorporations:* Lorenzo Snow, J. W. Cummings and Geo. A. Smith.
- On Library:* Ezra T. Benson and Wilford Woodruff.
- On Public Domain and School Lands:* A. Carrington, Lorenzo Snow, J. W. Cummings and W. J. Cox.
- On Penitentiary:* Ezra T. Benson, Daniel Spencer and L. E. Harrington.

On motion of Councilor Woodruff, the Council adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, County Court House, }
Great Salt Lake City, U. T., Dec. 9, 1861, 10½ a.m. }

The eleventh annual session of the Legislative Assembly of the

Territory of Utah convened in the County Court House, pursuant to law.

The House was called to order by Mr. Robert L. Campbell, Assistant-Clerk of the former House.

The following members elect answered to their names:—John Taylor, Hiram B. Clawson, Hosea Stout, Edwin D. Woolley, Joseph A. Young, Albert P. Rockwood, John V. Long, John M. Moody and Horace S. Eldredge, from Great Salt Lake Connty.

Joseph Holbrook and Thomas Grover, from Davis county.

Chauncey W. West and Aaron F. Farr, from Weber county.

Peter Maughan, from Cache county.

John Rowberry, from Tooele and Shambip counties.

Albert K. Thurber, Benjamin F. Johnson and Lorenzo H. Hatch, from Utah and Cedar counties.

Jonathan Midgley, from Juab county,

Bernard Snow, from San Pete county.

Thomas Callister, from Millard county.

Edward W. Thompson, from Beaver county.

William Crosby and Silas S. Smith, from Iron and Washington counties.

Thomas Rhoads, from Summit and Green River counties.

A quorum being present,

On motion of Mr. Stout, Hon. John Taylor was elected Speaker pro tem.

On motion of Mr. Rockwood, Mr. William Clayton was elected Clerk pro tem.

On motion of Mr. Stout, Mr. R. L. Campbell was elected Assistant Clerk pro tem.

On motion of Mr. Long, James F. Allred was elected Sergeant-at-Arms pro tem.

Mr. Rockwood moved, that the Speaker appoint a committee of three to examine the credentials or other evidence of the members elect, with a recess of ten minutes to give an opportunity for the committee to attend to the duties assigned. Seconded and carried.

The Speaker appointed Messrs. Rockwood, West and Thurber said committee.

The committee on credentials reported that from the evidence before them they were satisfied the members elect present were entitled to their seats.

On motion of Mr. Stout, the Sergeant-at-Arms pro tem, was instructed to wait upon his honor, Judge Elias Smith, and respectfully request his attendance to administer the oath of office.

Messrs. Richards and Hess, in behalf of committee from the Council, appeared and informed the House that the Council was organized and ready to proceed to business. Digitized by Google

His honor, Judge Smith, appeared and administered the necessary oath to the members elect present by counties.

On motion of Mr. Stout, the House proceeded to a permanent organization.

The following officers were severally elected by unanimous vote:

JOHN TAYLOR, Speaker.

WILLIAM CLAYTON, Chief Clerk.

ROBERT L. CAMPBELL, Assistant-Clerk.

JAMES F. ALLRED, Sergeant-at-Arms.

HEBER JOHN RICHARDS, Messenger.

FRANCIS KIRBY, Foreman.

WM. W. PHELPS, Chaplain.

To whom, individually, Judge Smith duly administered the oath of office.

The Chaplain engaged in prayer.

Mr. Rockwood moved, that a committee be appointed to inform the Council of the organization of the House.

The Speaker appointed Messrs. Woolley and Young said committee.

Mr. Stout moved, that ex-Governor Brigham Young, the ex-members of the Legislative Assembly, His Excellency Governor John W. Dawson, the Honorable Secretary Frank Fuller, their honors the Judges of the Supreme Court, Hon. W. H. Hooper, late delegate to Congress, the Superintendent of Indian Affairs, the Surveyor-General, the honorable Probate Judge of Great Salt Lake County, and the Mayor of Great Salt Lake City be admitted to seats within the bar of this House. Seconded and carried.

The following message was received from the Council:

"COUNCIL CHAMBER, Dec. 9, 1861.

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE

OF REPRESENTATIVES;

Councilors Harrington and Benson have been appointed a committee from the Council to wait, in conjunction with a like committee from the House, on the Governor and Secretary, to inform them the Legislature is organized, and awaits any communication they may have to make. Respectfully,

DANIEL H. WELLS, President."

Mr. Rockwood moved, that a like committee be appointed from the House to wait upon the Governor and Secretary in conjunction with the Council committee.

The Speaker appointed Messrs. Clawson and Eldredge said committee.

A communication was received from the County Court of Great Salt Lake County, addressed to the Legislative Assembly, tendering the use of the Court House for legislative purposes.

On motion of Mr. Rockwood, the tender of the Court House for the use of the eleventh and any subsequent session of the Legislative Assembly was accepted, and the communication from the County Court referred to the committee on claims, when appointed.

Mr. Eldredge, in behalf of the House committee appointed to wait upon his Excellency the Governor and his Hon. the Secretary, reported that his Excellency the Governor would be pleased to meet with, and communicate to the Legislative Assembly in joint session at 11 a.m. to-morrow.

Mr. Stout moved, that the Council be notified that the House would be pleased to meet with them in joint session to-morrow at 10½ a.m. Seconded and carried.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

—o—

TUESDAY, DECEMBER 10, 1861.

COUNCIL.

COUNCIL CHAMBER, Great Salt Lake City, }
Dec. 10th, 1861, 10½ a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The time appointed for the joint session having arrived, the Council repaired to the Representatives' Hall to meet in joint session.

[See Joint Session Minutes.]

Upon dissolution of the joint session, the Council returned to their Chamber.

The minutes were read and accepted.

On motion of Councilor Benson, the Council adjourned till Thursday, 12th inst., at 11 o'clock a.m.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City,
Tuesday, Dec. 10th, 1861, 10½ a.m. }

Pursuant to agreement of the 9th, the Assembly met in joint session.

The President of the Council presiding (His Excellency The Governor having a seat in the stand) called the Assembly to order.

The Secretary of the Council called the roll of the Council.—
Quorum present.

The Chief Clerk of the House called the roll of the House.—
Quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session open and ready for business.

The President formally introduced His Excellency the Governor to the joint assembly. The members, rising to their feet, respectfully acknowledged the introduction.

His Excellency the Governor then read his message to the Assembly.

GOVERNOR'S MESSAGE.

GENTLEMEN OF THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF UTAH:

The appointment of the President of the United States having devolved upon me the powers of Governor of this Territory, I now have the honor of addressing to you my first Executive message. The recent date of my appointment, and my arrival here only three days since, will, of necessity, render very imperfect what I may say to you, either by way of information of the state of affairs in this Territory, or of recommendation of measures of legislation; hence, I shall postpone the consideration of much local matter for a special communication, if necessary, and devote the most of the message to a review of the causes of the war which now is devastating our land, trusting that what I may say may not be regarded as idle words by this remote colony of people of the United States.

I come among you, the people of Utah, as one of you, to make this my home; and though a stranger to you, I have the earnest desire and hope, which are stimulants of strenuous effort on my part, that our now brief acquaintance may ripen into one of mutual respect and confidence, promotive alike of the honor and welfare of the United States, and of the best interests of the people of Utah.

I enter on the discharge of my duties, as the representative of Federal authority in this Territory, at an eventful period in the history of the United States. You, in common with the people of the whole civilized world,

are now looking upon the painful spectacle of the people of this American Federal Union at war with each other. The noblest structure of political government ever created by the wants, or devised by the wisdom of men, is passing through the ordeal of civil war. Eleven of the slave-holding States, have openly repudiated the authority of the Federal Constitution, and are now attempting, by force of arms, to establish an independent national government, under the name of "The Confederate States of America," into which a desperate and powerful, if not a numerous minority of the people of Kentucky, Missouri and Maryland, are endeavoring to draw those slave-holding States.

It is, perhaps, unnecessary for me to enlarge upon what is probably already known to you, of the origin and progress of the war. I may, however, enumerate as among its causes: First—Different systems of labor and social life in the slave-holding States, involving essentially different opinions as to the morality and expediency of the domestic slavery of the African race. In the Northern States, productive labor, which is the basis of the material prosperity of society, is free and honorable—its way is legally unobstructed to wealth and honor. In the Southern States, labor is mainly servile or enslaved and, therefore, degraded.

Second—Conflict of sectional interests; the most populous and wealthy portions of the Northern States desiring to favor their commercial and manufacturing interests, which are predominant, by protective tariffs against foreign manufactures. The Southern States, on the other hand, whose interests are mainly agricultural, aiming to develop their agricultural wealth by freedom of trade; and each endeavoring to make the Federal Government auxiliary to its own sectional policy.

Third—Antagonistic political theories, coeval with the formation of the Federal Union, in regard to Federal and State rights; the Northern States having generally practically accepted the theory which recognizes the supremacy of the Federal Government, as a national government, created by the people of the United States as one nation; and the Southern States having as generally adopted that theory of the Constitution, known as the strict construction or State's Rights theory, which holds the Constitution to be a compact or league between co-equal sovereign States, united in a confederacy not consolidated under a national government. The radical substantial difference between the two theories may perhaps be these summed up in words: The people of the Northern States generally regard their allegiance to the Federal Government, as paramount to their allegiance to their State Governments. While the people of the Southern States, as generally hold that their allegiance to their States is superior to their allegiance to the Federal Government. Hence a Northern man regards his State as having no political sovereign rights, except as a member of the Federal Union. And that, therefore, the secession of a State from the Union, or its resistance of Federal authority, is an act of rebel-

lion or revolution to be put down by the strong arm of Federal power; whereas, a Southern State's rights man considers his State as having political rights and sovereignty, above and independent of the Federal Union; and that, therefore, it may, for cause to be determined by its own discretion, withdraw from the Union, or resist its authority, without affording just cause of war upon it.

It is deeply to be deplored that differences so radical should exist among the people of the United States, for their tendency is to impair the harmony of feeling and unity of interest and purpose, which are essential to the full development of the national prosperity and power. No wise man who surveys the magnificent and imperial territory upon which the Providence of God has placed the people of the United States, can fail to believe that they should remain one nation and one people; it may be one from many, but yet one among the nations, and that their true interests and glory are in unity and peace. But deplorable as the differences are, that have resulted in civil war, they do exist, and it is a historic truth that they did exist coeval with the formation of the Federal Union and Constitution. In the convention of wise and patriotic men, who formed the Federal Constitution of 1787, these differences constituted the most serious obstacles to the framing of the Constitution, and, afterwards, to its adoption by the people. Had the councils of men of extreme and violent opinions prevailed, and the jealousy between some of the States been fostered, and the assertion of their separate sovereignty been carried to its natural results, the American States, after having nobly struggled to a glorious success through the seven years war for independence, instead of forming the union which gave them strength and dignity, and started them upon a career of matchless prosperity, would have been divided into petty States, without national resources, without national dignity and power, and ever at the mercy of foreign foes and of the British Empire against which their united struggle had given them success. But the men to whom the destiny of the United States was committed at the close of the war of the Revolution, were Patriots and Statesmen. They were men of large hearts and clear heads.--They plainly saw the dangers which threatened to divide the States, and they sought to avoid them. They therefore mutually discarded sectional views and jealousies, and brought to the formation of the Federal Constitution "*a spirit of amity, and the mutual deference and concession which the peculiarity of their political situation rendered indispensable.*" They did not urge differences of opinion or conflicting interests to their logical results; they conceded—they yielded—they compromised. The Constitution, the work of their hands, was based on compromise. The jealousy between large and small States was compromised by giving to each State equal representation in the Senate, and numerical representation in the House of Representatives. The differences between the advocates of a strong national government on the one hand,

and a limited federal government, with strictly defined powers, on the other, were compromised by making a government partly national and partly federal. As to all its external and foreign relations, the government became a national one. In its internal relations, it remained federal, each State retaining its sovereignty and independence, as to all its local and internal concerns. The differences of anti-slavery men and of the advocates of slavery were reconciled by fixing a period when the Congress should have power to terminate the foreign slave-trade, which was a subject within the legitimate scope of national legislation, and by virtually recognizing slavery, without naming the words slavery or slaves, as the creature of local law, and by leaving slavery in the States as the Constitution found it—a domestic institution—the subject of local or State, not of Federal, legislation.

Notwithstanding the wise compromises of the Constitution, it was not to be expected that the causes which produced diversity of opinions and difficulty in framing the Federal Government, would wholly cease to operate with the growth and prosperity of the nation. The experience of human nature gave no guaranty of so benign a result. Brave and patriotic and intelligent, as they proved themselves to be in the establishment of their independence and in forming their system of government, the American people had no claim to immunity from the general failings of men. Wise as was the plan of government they adopted, they were liable to depart from its spirit, and thus impair its efficiency, and endanger its existence. There was, however, strong hope in patriotic men that the wisdom of the people, the practical good sense characteristic of the race, would always prevent the causes of jealousy and dissention between different sections of the Union from coming into angry collision and over-leaping the limits and safeguards of their self-created Constitution. In this hope, there has been disappointment. The people of the United States have not proved themselves to be as wise as the fathers of the Republic hoped they would be. Disregarding the injunctions of Washington in his farewell address, and the teachings of his illustrious compeers; disregarding the sacred compromise of the Constitution itself, men in different sections of the Union have not failed, reckless of consequences, to urge radical opinions upon various questions of policy, especially the question of domestic slavery, that could not but terminate, when thus urged, in the formation of sectional parties, and a consequent destruction of the harmony and moral power of the Union, which are the main elements of its perpetuity.

It is not my purpose to take a partizan, but a dispassionate and patriotic view of our national troubles, and in doing so I would falsify the truth of history should I fail to say that neither the Northern people nor the Southern people are wholly free from blame for the great evil that has come upon the nation. Upon a question like that of slavery which has been

the most prominent among the causes disturbing the harmony of the Union; a question involving moral, religious, social and political considerations, concerning which wise and good men in different ages have widely differed, it was not wise for men in either section of the Union to assume to be wholly right and their opponents wholly wrong, nor wise to allow differences of opinion to ripen into a sectional party spirit and hatred, so intense and rancorous that they usurped the throne of reason, and incapacitated men from seeing measures and events, except as through a glass darkly. The atmosphere of passion is ever an unsafe medium through which to look either upon men or things. The Federal Constitution had dealt with the subject of slavery as a political one, in the spirit of compromise, and it was the duty of all men loyal to the Constitution to continue so to deal with it. It was not, therefore, well for the people of either section, to give heed and influence to the sayings of men of extreme opinions in regard to it. The formation of a political party in the Northern States, upon the distinct basis of hostility to slavery, insignificant as that party was in its beginning, was ominous of evil. The people should have foreseen that beneath the rending and disintegrating power of such a wedge of disunion, the Federal Union, though strong as gnarled oak, must eventually be rent asunder. It has been a cardinal error of the people of the Northern States, towards their Southern brethren, to permit a fanatical abolition party in the North to enlarge its borders and strengthen its stakes, and to gain political consequence and power, until the opinion has been created among the Southern people that the whole Northern mind is imbued with bitter hostility to the Southern people, and a determination to destroy, through the intervention of Federal power, the Southern domestic institution of negro servitude. Influenced by this opinion, Union loving men of the Southern States have been led to the conclusion that the harmony of the Union was forever at an end, and to look, almost without regret, upon the prospect of its dissolution, an idea once utterly repulsive to the whole American mind. On the other hand, impartial justice demands that I should say, that the people of the South, sensitive, hot blooded, impulsive, and fond of rule, instigated and misled by ambitious political leaders, have been too much disposed too scoff at and defy the intelligent moral sentiment of the Northern people on the subject of slavery, and to force them by arrogant and insolent denunciation, to formally approve, as a political and social good, what they firmly believe to be a political and social evil. The people of the South have unwisely claimed a political importance and power for their domestic institution of slavery not belonging to it. They have claimed rights for it under the Federal Constitution which the Constitution does not award to it. In fine, the people of neither section have been willing, as to this exciting question of slavery, to let each other alone, and in the spirit of mutual forbearance and kindness and national brotherhood to pursue the even tenor of their way, each content to form and regulate its domestic

institutions in its own way, subject only to the Constitution of the United States.

From year to year, for many years past, the disharmony of the Federal Union, growing out of the subject of slavery and the other causes of difference to which I have alluded, has been increasing, encouraged by abolitionists at the North and the ultra slavery men of the South. Against this agitation the wisest and best men of the Republic have manfully contended. The struggle of 1820, in regard to the admission of Missouri into the Union, a struggle which shook the Union to its center as with the throes of dissolution, was safely passed by a compromise, wholesome at the time, but not, as the result has shown, resting upon a permanent self-adjusting principle, adapted to all future cases that might arise with the expansion of national territory and the changing relations of States. The next great struggle was that resulting in the Compromise Measure of 1850, with which the history of your own Territory is identified. Your organic law was one of these Compromise measures, and it bears the impress of the minds of the great statesmen Clay, Webster and Douglas, whose voices were potent in the national Senate, but are now hushed in death. It recognizes the right of a people of an organized Territory to exercise their legislative powers upon all rightful subjects of legislation, consistent with the Constitution of the United States, and to be admitted as a State into the Union with or without slavery as their Constitution may prescribe at the time of their admission.

The Compromise of 1850 was of vital moment to you, if I may say so, the peculiar people of Utah, for it embraced a principle upon which you seized as a protection to you in your right of conscience, and in the formation and regulation of your own domestic and social polity, so long as it conforms to republican principles of government and to the supreme law of the Federal Constitution.

It is, however, to be observed that as under the name of liberty many unblushing crimes have been committed, so under the doctrine of the sovereignty of the people of a State or Territory, excesses may be attempted which were never contemplated by the framers of the Constitution of the United States, to be guarded against and destructive of the great ends of government; hence, under such circumstances it should be the duty of Congress to act *pro re nata* more with reference to the equity of the case than to the question of the legality or constitutionality of the power to be exercised, a course which will be found indispensable to the maintenance of internal peace, concord and justice, each of which is an element of Union.

The Compromise of 1850 met the approval of the nation, except perhaps the small minority of men of radical opinions, with whom agitation and controversy are ever congenial elements, and to whose political importance they are necessities. It seemed to bring back and settle the administration

of the government, upon the principle of compromise by which the Constitution itself was formed. It distinctly recognized as the true solution of the question of slavery, and of all other questions of domestic or local policy in the States and Territories—the principle that each State and Territory should decide for itself, independent of the will or action of Congress, what local or domestic institutions, consistent with the nation's organic law, the people should have.

The Compromise measure of 1850 worked well, but it did not satisfy ultra men North or South. Their fiery and intolerant zeal could not be calmed even by that great and wise measure of peace. Therefore to carry out to what he believed to be the logical and proper results the principle of the Compromise Measure of 1850, and to establish a principle upon which all Territories of the United States should thereafter be organized, and to put an end to the agitation in Congress, or as a question of Federal policy, on the subject of slavery in the national Territories, Senator Douglas, of Illinois, introduced into the organic laws of Kansas and Nebraska, in 1854, a distinct declaration of the intention of Congress not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. This was as clear and comprehensive a declaration of the sovereignty of the people of the Territories of the United States, over their own local affairs, as any well meaning people cordially loyal to the Federal Constitution could desire. To remove every obstacle to the free action of this great principle of democratic government, the 8th section of the act of Congress of March 6th, 1820, known as the Missouri Compromise, which prohibited slavery north of latitude 36° 30', was declared inoperative and void, and as inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the compromise legislation of 1850.

A measure so radical and far-reaching, involving the abrogation of the time-honored Missouri Compromise restriction, was not at once clearly and fully understood by the people, and it therefore so greatly agitated the public mind, and met with such bold and vigorous opposition in the north as to make even the friends of the great principle doubt the propriety of introducing so suddenly a measure so searching in its consequences. I need not say that I was among the opponents of the abrogation of that "restriction," because the parties to the compromise could not be remitted to their former view; but as the true relation of the great principle of popular right as embodied in the Kansas and Nebraska act, to the subject of slavery, was developed, the opposition thereto lost force, and the people virtually endorsed the measure by the election of Mr. Buchanan in 1856.

History has not yet fully pronounced her impartial verdict upon the wisdom of the Kansas-Nebraska act of legislation of 1854, but fair-minded

men of all parties are rapidly coming to the conclusion, aside from the unfortunate embitterments it created by the repeal of the Missouri Compromise, that it afforded the best practical disposition by Congress of an exciting and dangerous question, one which threatened the longevity of our institutions. This assertion is confirmed by the fact that the party of the Administration now in power, which was organized and triumphed upon the basis of congressional prohibition of slavery in national territory, by its majority in Congress this very year, organized the territories of Nevada, Colorado and Dacotah substantially on the very principle of congressional non-intervention with slavery, which was the distinctive feature of the Kansas-Nebraska act of 1854.

Had the principles of that act been generally approved, and fairly carried out, without interference from the Federal Government, then under the administration of President Buchanan, it can not be doubted that the civil war that now clothes the land in mourning, would have been avoided. But it was not to be. Men of strong anti-slavery opinions in the north, who had looked upon the Kansas act as an instrument by which slavery was to be introduced into Kansas, set to work, even pending the passage of that act, to fill up that territory by free immigrants from the northern States, while on the other hand, political leaders in the south, who had hoped by the Kansas act for the same result which northern men feared, set on foot a movement from Missouri and other slave-holding States, to possess themselves of political power in Kansas, so as to establish slavery there. These opposing tides of immigration, or invasion, as it in part might be justly called, led on by violent, and in many cases lawless men on both sides, soon came in collision on the plains of Kansas, and the Kansas civil war was the result.

It is due to truth to say that, in the conflict of opposing forces, the southern leaders were able to command the aid of Mr. Buchanan's Administration. Its power and patronage were unscrupulously brought to bear to strengthen the slave-holding interest in making Kansas a slave State. This bold and bad attempt in the interest of slavery, and in the face of its organic law, to override the popular will of the people of Kansas, signally and justly failed. The attempt and its failure demoralized the Democratic party, the most powerful political party known to American history, and at the same time combined in formidable union with the great Republican party of 1860, the anti-slavery opinion of the north. With the defeat of their cherished hope of forcing slavery into the national territories by means of the abrogation of the Missouri Compromise and the Dred Scott decision, the ambitious political leaders of the south saw that the sceptre of their political power had departed, and they became desperate and treasonable.

Unable to defeat the nomination for President, of Mr. Douglas—the champion of popular sovereignty and the acknowledged leader of the northern democracy, by the Charleston convention of 1860—the southern

faction with the co-operation of a few northern allies, divided the Democratic party and prepared the way, not only for the success of the opposition at the north, but for the dissolution of the Federal Union.

The conspiracy to destroy the Democratic party and Senator Douglas was successful. The Northern Democracy stood faithfully by its brave and patriotic leader, and most of the Free States stood by the patriotic leader of the Republican party—Abraham Lincoln, and his party triumphed. The event was seized as a pretext for open treason, and was soon followed by the secession of South Carolina, and other slaveholding States, and the opening of civil war in the bombardment of Fort Sumter.

Fresh from the excitement of the great campaign of 1860, the party in power, flushed with success, and the secession leaders of the South, desperate with disappointment and defeat, were neither in the mood to survey calmly the angry sea of national affairs. The spirit of compromise—the guardian genius of the unity of the nation and its constitution, was for a time discarded or unheeded. Between the secession of South Carolina and the fall of Fort Sumter, a few noble and manly efforts were made in Congress and in the Peace Conference of 1861, to re-enthroned compromise and to stay the swelling tide that was bearing the nation to the yawning abyss of civil war, but they were in vain. The enraged sea rolled not back when Canute gave command, and the Power that rules the sea and the storm, and holds the nations in the hollow of His hand, was too strong for even the efforts of wisdom and patriotism to stay His purposes. For wise purposes which history will reveal, Providence has permitted the American people to be tried in the furnace of affliction, which is now heated for them.

There can be no difference of opinion among men, unbiassed by passion or prejudice, as to where rests the responsibility of beginning this civil war. Whatever may be our opinion of the folly and violence of abolitionists in the North—or pro-slavery men in the South—up to the hour when the national banner came down before the guns of the Confederate States, at Fort Sumter, the Federal Government had been void of offence towards the South in regard to its peculiar institution of slavery. It had fulfilled all its constitutional obligations to them—even if it had not gone beyond them—as in the case of Kansas, in the interest of slaveholders, and in no respect had the South sustained any wrong at the hands of the Northern people, but what could have better been remedied by calm and kind appeals to the intelligence and justice of Northern majorities, under the forms and within the jurisdiction of the Constitution, than by a dissolution of the Federal Union, and an appeal to arms in the ordeal of civil war.

Attacked, as it was, by open and avowed rebellion, the Federal Government—the trustee of the whole nation and the representative of its power and glory before the world—could not but stand upon its defence, and resist force by force. To have admitted by passive acquiescence, in the attempted withdrawal of the cotton States, the doctrine of secession as a con-

stitutional right of any State—would have been an act of imbecility in the Government, worse than suicide. It would have been a virtual abdication of governmental power, and treason to the American people. The Government could not, without degradation and dishonor, do otherwise than defend itself. This is its true position. The war, so far as the Federal Government is concerned, is a war to defend the national existence and Constitution; not to change the Constitution—not to subvert the Federal system of Government—not to abolish African slavery, nor to interfere with the social and domestic institutions of the people of any of the States or Territories—not to subvert the sovereignty of States and hold them as conquered provinces—not to wantonly devastate and destroy. The Government must discharge its high and holy duty to the American people of maintaining the government given them by their fathers, by compelling rebellion (by the strong power it has madly invoked) to lay down its arms, and yield to reason and the authority of the nation's fundamental law. This be assured, men of Utah, is the high purpose which guides the policy and measures of the Federal Administration, and nerves the hands and hearts of the men who follow the banner of the Union. The Government is fully awake to its mighty responsibility, and it will manfully meet it in the fear of God and in confidence of his aid. Men of Utah, are you ready to assist?

The war, thus developed by events from the causes which I have stated, has in fact begun. It is no mean contest. The rebellion or revolution, by whatever name men see fit to call it, is one of giant proportions. It is backed by the power of ten millions of people, whom their leaders represent to be of one mind to carry it forward to success. On the other hand, the rebellion is met in the spirit of an earnest and determined patriotism by over twenty millions of free people, intelligent, brave, rich in material resources and power of war, strong in moral power, and resolved as with one will, in the strength of God and their own power, that the Federal Union, the national life—the issue of a struggle in which heroic hearts shed their blood like water—must and shall be preserved. Men of Utah, do you like this resolution? If need be three millions of stalwart men stand ready, upon Northern soil, to assume arms and to conquer or die in defence of a government whose existence, up to the hour when lawless ambition struck at its life, was the glory and the hope of the civilized nations of the earth. Men of Utah! are you ready to join that host?

A treasonable attempt has been made by parricidal hands to destroy a government based in clear acknowledgment of the universal rights and intelligent capacity of man for self government—a government which, while it holds in itself the material and moral power of a puissant nation to build up or to destroy, to attack or defend, has yet even in its operations and influences upon its people, been as gentle and beneficent as the genial rays of the sun or the dews that distil from evening air upon the earth on which they fall.

The great question now before the American people and the world is, shall this great and beneficent government, whose name and flag have been a shield to its people all over the earth, and a hope to the oppressed of all nations, be now destroyed by the hands of its own sons? Shall it go down amid the horrors and desolation of civil war; leaving only the blackness of ashes to mark where it stood; or shall it emerge and rise in renewed strength and beauty from the clouds and darkness that rest upon it? Shall it, or not, as the Holy Word describes the Christian Church, once more come up out of the wilderness, fair as the sun, clear as the moon, and terrible as an army with banners. Men of Utah! what answer will you make? Why need I ask you where you stand on this great question? Here, in this peaceful valley, which you, by wonderful perseverance and industry, have reclaimed from a state of nature, and made its sterile plains blossom as the rose, as few people on earth could, and for which you are entitled to the thanks of the nation—here, far removed from the scenes of conflict, where your brethren and fellow citizens are ruthlessly shedding each other's blood, you can not but look with deep, earnest interest upon the struggle and its final result. United, as you are, in the bonds of a peculiar faith and social life, which has, in a measure, separated you, as a peculiar people, from your American brethren, you are yet bound to them by the ties of kindred, language and country, and the recognition and worship of the same Divine Father and Lord and Savior Jesus Christ. You are a people of the United States, and I was rejoiced to hear how you stand affected toward the Federal Government—the Union and the Constitution. In the city of Washington, a few weeks ago, it was my pleasure to read the first dispatch of the President of the Mormon Church, the sentiment of which was correct, and also about the same time to read another from the then Acting-Governor—the Hon. Frank Fuller, which signified the loyal faith of this people to the great Federal Government. This important message, on the lightning's wings, was but a confirmation of previous utterances of Ex-Governor Brigham Young, expressive of his high appreciation of the Constitution of the United States. He had before said:

“I want to say to every man, the Constitution of the United States, as framed by our fathers, was revealed—was put into their hearts by the Almighty, who sits enthroned in the midst of the heavens; although unknown to them, it was dictated by the revelations of Jesus Christ, and I tell you, in the name of Jesus Christ, it is as good as I could ever ask for. I say unto you, magnify the laws. There is no law in the United States, or in the Constitution, but I am ready to make honorable.”

It confirmed also the words of another of your eminent men, General D. H. Wells, when, in speaking of the sentiments of the Mormon people towards the United States, he said:

“That country—that Constitution—those institutions were all ours; they are still ours. Our fathers were heroes of the Revolution. Under the master

spirits of an Adams, a Jefferson, a Washington, they declared and maintained their independence; and under the guidance of the Spirit of Truth they fulfilled their mission, whereunto they were sent from the presence of the Father."

And again, he said in your behalf:

"Never! no, never, will we desert our country's cause; never will we be found arrayed on the side of her enemies, although she herself may cherish them in her bosom; although she may launch forth the thunderbolts of war, which may return and spend their fury upon her own head. Never! no, never, will we permit the weakness of human nature to triumph over our love of country, our devotion to her institutions, handed down to us by our honored sires, and made dear by a thousand tender recollections."

And now that the country is still the same—the Constitution the same—the institutions the same—all ours, and a state of war exists—will you not be found arrayed on the side of that Constitution—that Union—that Government "revealed and put into the hearts of our fathers by the Almighty?"

Believing that such noble sentiments of patriotism animated the breasts of the people of Utah, I undertook the long and tedious journey which has brought me here to your isolated home among the mountains of Deseret, trusting that I should find here the same faith, and hope, and love for the Federal Union, its Constitution, and its laws, as animate the hearts and nerve the arms of my own people of Indiana, nearly forty thousand of whose youth are already scattered from Missouri to the Atlantic coast, under arms for the nation's defence; and that noble State is prepared to triple, on the field of battle, the number of her sons, when the nation's need calls for them.

If wisdom and true patriotism, and the spirit of enlightened Christian humanity, continue to guard the policy of the Federal government in the conduct of the war, as there is no doubt they will do, there can be no question of its final result. Temporary reverses to the Federal arms, afford no criterion of the ultimate victory; that must be with the strongest arm, sustained as it is by the right. Weary of a contest, hopeless as it is disastrous, the people of the South, seeing by the course of the Federal Government that it has no design in the war to do aught but maintain the rightful authority and dignity of the Constitution, and learning that they have been wickedly misled by designing men, will ultimately, and ere long, lay down their arms and be content, nay, glad, to take their old places in the Union, co-equal sharers in all the rights and powers incident to it.

I have deemed it due to the occasion thus to dwell somewhat at length upon national affairs, and have endeavored to deal with them in a patriotic and candid spirit, so that they might be seen as they are, and there be no misunderstanding between us in regard to them.

That the true interest of the people of Utah is with the Federal Union no

rational man can doubt; and let no man urge a different course, for such will be a dangerous one.

The boundaries of your Territory place it within territory consecrated by the laws of nature to free labor; its isolated position calls for the protection of a powerful government, and for its aid in the development of its material resources. Surrounded as it is by organized Territories of the United States, soon to develop to the proportions and power of free States of the Union, Utah has a common interest and common destiny with them. Isolated it is weak, and this let no man controvert. United in the bonds of the Federal Union it shares its powers, its prosperity, its glory and its ultimate destiny. Let this sink deep into the hearts of all true men of Utah.

In reference to my own policy as the executive authority of this Territory, I have only to say that I am here faithfully and honestly and fearlessly to discharge my duty under the laws and Constitution of the United States and the laws of the Territory of Utah consistent with them. In the language of your distinguished citizen Brigham Young, "I say unto you I will magnify the laws; there is no law of the United States, or in the Constitution but I am ready to make honorable," and to this end I shall, as is my right, ask and confidently expect the cordial co-operation of the Legislature and people of Utah, as they will find in me a cordial co-worker in all that concerns their peace and substantial good.

Keeping in view the loyalty of this people, I refer you to the act of Congress, entitled "*An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes*:" Approved, Aug. 5, 1861, by which the sum of \$26,982 is levied on this Territory to be collected annually either through officers of your own appointment, or by such as the law itself provides, of a Federal character. Let this law be made honorable; let it be magnified at the earliest possible period by legislative action and thus put yourselves before the world vindicated of the charge of disloyalty, which I regret to say has obtained some credence in portions of the United States.

The establishment of the Overland Daily Mail from the Missouri river to the Pacific Ocean, being one of the greatest enterprises ever undertaken on this continent, and of vast importance and advantage to this Territory, and the company having manifested astonishing and commendable ability and energy in the transportation of the mail since it has had possession of the route, I deem it entitled to the utmost confidence of the public and of the Government of the United States. And passing as it does for so many hundred miles through the Indian country, the security of the mail and the safety of the passengers and employees of the company, aside from the safety of the great tide of immigration and travel pushing westward, demand the protection of the Government of the United States; and, to this end, I recommend that you memorialize Congress

on the subject, asking appropriations of money to improve the roads and build bridges at places on that line and in your Territory, such as seem indispensable. Also the appointment of agents at convenient distances along the line, to meet and confer with the Indians and supply their wants, as well as the occupation of commanding points, by a small yet efficient military force, passing frequently along the line, keeping good order and peace, and giving safety to mail and travelers against savage and civilized marauders. My recent travel over the line from the Missouri river to this city, satisfies me of the necessity of such action on the part of Congress.

In connection with this, is the location and construction of a railway to connect the roads constructed westward to the Missouri river, with the road built eastward in California. Trade and business between the eastern and western sections of the United States appear to have selected by the stage and telegraph routes, the most convenient route for this great artery of commerce and bond of union, a strength, which, as it passes nearly the entire length through the Territories of the United States, may, without a question as to the Constitutional power of Congress, be located and constructed by the authority of Congress and with the funds of the United States. The character of the country is such for the greater part of the distance, that it is too much to expect that it can be constructed by private capital; and, as it must become a national road, it is right that it should be made by the nation. On this subject I also recommend you to memorialize Congress.

The extinguishment of the Indian title to such portions of the Territory as may be desirable for agriculture, appears to be equally demanded by the condition of the Indians and the progress of settlement. The survey of the public lands and the establishment of land offices, the appointment of proper officers, and the sale of the lands, will enable the settlers to procure title to the lands occupied and improved by them; which seems to me to be necessary for their security and prosperity.

Free grants of land having been made by the General Government to the first settlers of some other Territories, and the propriety of such a course having, in most instances, been proved I deem it eminently proper and wise for Congress to grant the same privileges and bounties to the settlers of this Territory; and to effect this, I urge you to make early application to Congress.

The acts of Congress organizing the Territories of Colorado and Nevada, having disarranged the boundaries of some of the judicial districts of the Territory, as also the limits of some of the counties of the Territory, I bring the subject to your notice that it may receive your action with as little delay as possible.

The stability of a Constitution, and hence of a government, depends more on public opinion than it does on its structure; and the principles of

a people will prevail regardless of Constitution or laws. Hence, to have a good Constitution respected, and the government revered by the governed, the people must be enlightened and free, and vigilant in their duties. That mind which is enslaved is not a free agent; nor can it enjoy freedom. When the will is a vassal, nothing is more degrading. A mind, not its own, can not be free—it is a slave and in chains, though so well gilded as not to be self-seen. And it is in such a state of society that encroachments on private rights are common, and permanent mischief hourly deplored.

Without education and intelligence general and diffuse, the best constitution and government, and laws the most wise, can never, in a democratic government, have permanent claims to longevity, nor the people, peace, tranquility or justice.

In a good government, where wisdom and intelligence bear sway, the laws have a moral force far beyond the fears which their penalties awaken; for, in such a condition of things, as the laws support all, so all support the laws; and every infraction thereof is a thrust at the peace and security of every citizen.

With these remarks, I commend to you the subject of education, which, I sincerely hope, will be fostered by you, and the children of the Territory thereby educated; educated in the habits and principles of freemen. I have more especial reference to common schools, which are to educate the masses, because the situation of your Territory is such that, at present, colleges can not be sustained. Such schools are indispensable to the great happiness and glory of the Territory. Every child in the Territory should be educated, because they are the children of the Territory and the subject of its guardian care.

The condition of the Territorial Penitentiary not having been reported to me, I can convey no information to you concerning that institution.

The financial condition of the Territory has been reported to me by the Auditor and Treasurer of the Territory, respectively; and I herewith submit their reports, as accompanying documents for your consideration.

Having now presented you with the substance of my message, I deem it proper to conjure you, as I would all other American citizens, to remember that, if ever there was an hour which, more than another, called for loud and earnest enunciations of true American principles, inspired by the memory of the past and the greatest hopes of the future, the unity and peace, of the Union of the States, that hour is NOW. Let us, therefore, be all encouraged by the patriot's hope, that peace may again return. Let us be true to God, true to ourselves, and true to our country and mankind, and all will be well.

JOHN W. DAWSON.

Great Salt Lake City, U. T.,
Dec. 10th, 1861.

AUDITOR'S REPORT.

HON. JOHN W. DAWSON, GOVERNOR OF UTAH TERRITORY:

SIR:—In presenting the annual report of this office, I have thought it policy to pursue the same method which I adopted in 1859 and 1860, viz.: to embody the financial matters of the Territory in three separate statements, which please find annexed.

In statement "A" appears the total valuation of taxable property assessed within the Territory for the year 1861, as far as assessments have been reported to this office. I regret to have to say that the counties of Tooele, Iron and Washington, have not yet forwarded their reports of assessment for the current year, and I have been under the necessity of assuming the last year's assessments of those three counties in order to complete this report. The statement shows an aggregate taxable property within the Territory of five millions, thirty-two thousand, one hundred and eighty four dollars; the Territorial tax arising thereon, at one-half of one per cent., is twenty-five thousand, one hundred and sixty 92.100 dollars.

It is very probable that when the reports from the delinquent counties are received the total amount of taxable property will be increased, and the true amount of Territorial tax for the year 1861 may exceed the sum named by several hundred dollars, but the present statement is as near as can be arrived at under the circumstances. There is no further tax on imported merchandize to be reported, as in previous years.

The amount of tax for Territorial revenue, then, for the current year, per statement "A," would be	\$25,160 92
From which would have to be deducted for cost of assessment and collection, and remittances by County courts, judging from last year, at least ten per cent., is	2,516 09

Estimated nett revenue	\$22,644 83
To which may be added, amount of tax due and uncollected for the year 1860, say	3,759 52

\$26,404 35

The number of Auditor's warrants issued during the current year, or from November 1st, 1860, to October 31st, 1861, as given in detail in statement "B," are as follows, viz.:

On account of Utah Penitentiary	4,693 11
On account of Public Roads and Bridges	10,335 82
On account of Agricultural and Manufacturing Society	645 74

[Dec. 13.]

On account of Incidental expenses	571 64
On account of Salaries of Officers, etc.	473 15

 \$16,719 46

To which, if we add Auditor's warrants in circulation October 31st, 1860, as per former report, viz.:	14,550 74
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 Gives a circulation, during the year 1861, of \$31,270 20

There has been Auditor's warrants received and redeemed by the Territorial Treasurer during the year, as follows, to wit:

On account of delinquent tax of 1859	1,966 08	
On account of delinquent tax of 1860	14,406 07	
On account of tax for the year 1861	5,170 15	
Redeemed otherwise	467 00	22,009 30

 Leaves warrants in circulation October 31st, 1861, viz.: 9,260 90

If to this latter sum be added the amount in statement "C," of sums payable on appropriations heretofore made, to wit:	7,928 03
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And Treasurer's salary for the year 1861, unpaid	200 00
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 Shows a Territorial liability at this date of \$17,388 93

To meet which, we have

Balance in Treasury, as per Treasurer's report	1,608 54	
Uncollected tax for 1861	17,042 13	
Balance due on tax of 1860	3,159 52	21,810 21

 \$4,421 28

Showing a surplus of assets over liabilities of four thousand four hundred and twenty-one 28.00 dollars, which, it is believed, gives a pretty safe exhibit of the financial matters of the Territory for the year ending October 31st, 1861, all of which is respectfully submitted.

Respectfully,

WILLIAM CLAYTON,

Auditor of Public Accounts

for Utah Territory.

G. S. L. City, November 15, 1861.

A

Statement of the Value of Property assessed in the Territory, as reported by County Clerks, together with amount of Territorial tax at one-half of one per cent.

County.	Value of Property.	Amount of Tax.
Great Salt Lake - - - -	\$2,052,346 00	\$10,261 73
Utah - - - - -	766,224 00	3,831 13
Davis - - - - -	42,604 00	2,128 02
Weber - - - - -	373,990 00	1,869 95
Sanpete - - - - -	328,252 00	1,641 26
Cache - - - - -	312,314 00	1,561 57
Box Elder - - - - -	165,200 00	826 00
Millard - - - - -	91,584 00	457 92
Juab - - - - -	84,604 00	423 02
Beaver - - - - -	59,844 00	299 22
Summit - - - - -	38,642 00	193 21
Shambip - - - - -	24,520 00	122 60
Tooele, (Assessment for 1860)	150,506 00	752 53
Iron, (Assessment for 1860)	100,236 00	501 18
Washington, (Assessment for 1860)	58,318 00	291 59
Green River has never made a report		
	<hr/> \$5,032,184 00	<hr/> \$25,160 92

B

Statement of Auditor's Warrants issued during the year commencing Nov. 1st, 1860, and ending Oct. 31st, 1861.

ON PENITENTIARY ACCOUNT:

To A. McRae, special appropriation to cover guard service to Dec. 10, 1860 - - -	\$342 00
To A. McRae, for guard service - - -	\$500 00
" for supplies - - -	200 00
" for relief of warden - - -	200 00
	<hr/> 900 00
To J. A. Little, warden, for guard service - - -	\$1,668 00
" for supplies - - -	1,532 11
" for relief of warden - - -	100 00
" for arrest of Gipson - - -	100 00

To J. A. Little, for arrest of James Graham	50 00	
" for blank book for Penitentiary	1 00	
	<hr/>	3,451 11 4,693 11

ON ACCOUNT OF ROADS AND BRIDGES:

Ogden Bridge and Road special appropriation, Jan. 1861	1,156 50	
G. S. L. City and Weber Valley Road, special appropriation, Jan., 1861	3,000 00	
Weber Bridge, on account of special appropriation, Jan. 1861	1,368 80	
Provo Canyon Road, second appropriation of one-sixth, Jan. 1861	3,166 27	
Coal-mine Road, to Samuel Snyder, January, 1861	1,000 00	
Jordan Bridge, on appropriation, Jan., 1861	344 25	
Toquerville and Grafton Road, on appropriation, Jan., 1861	200 00	
Sanpete Coal Road, arrears per report of 1860	100 00	
	<hr/>	\$10,335 82

ON ACCOUNT OF AGRICULTURAL AND MANUFACTURING ASSOCIATION:

J. C. Little, treasurer, his orders to sundry persons		\$645 74
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ON SUNDRY INCIDENTAL ACCOUNTS:

Asa Calkin, on arrears due per report 1860	\$88 64	
George Sims, for services as engrossing clerk, on appropriation, Jan., 1861	15 00	
Robt. Campbell, for services as engrossing clerk, on appropriation, Jan., 1861	12 00	
Thomas Bullock, for services as engrossing clerk, on appropriation, Jan., 1861	22 00	
John Oakley, for services as engrossing clerk, on appropriation, Jan., 1861	12 00	
Henry Hedger, for services as engrossing clerk, on appropriation, Jan., 1861	6 00	
John Jaques, for service as clerk, Jan., 1861	30 00	
Wm. Clayton, for stationery for auditor's office	18 00	
Indian Wars, 1850-51, on Adjutant-General's order to B. Baker	7 00	

Theodore McKean, for services as Road Commissioner, on appropriation, January, 1861	345 00	
Patrick Lynch, for services under appropriation of Jan., 1860, to be expended by auditor	16 00	
		<u>\$671 64</u>

ON STATED SALARY ACCOUNT:

W. W. Phelps, superintendent, etc., balance due for 1860	\$35 00	
W. W. Phelps, on account of salary for 1861	165 00	
		<u>\$200 00</u>
W. Clayton, auditor, balance due for 1860	\$34 00	
W. Clayton, on account of salary for 1861	179 65	
		<u>213 65</u>
James Ferguson, on account of salary as Adjutant-General, 1860	9 50	
S. M. Blair, salary as Attorney-General for 1861	10 00	
		<u>473 15</u>
		<u>\$16,719 46</u>

C

Statement of Amounts payable on Appropriations heretofore made:

Jordan Bridge, balance of appropriation, Jan., 1861	\$1,830 75
Weber Bridge, balance, including \$1000 conditional appropriation of Jan., 1860	1,128 20
Beaver Bridge and Road; appropriation of Jan., 1861	300 00
Road from North Bend to Spanish Fork, appropriation January, 1861	500 00
Road from Box Elder to Cache, appropriation of Jan., 1861	750 00
Road from Santa Clara to Beaver-dams, appropriation of January, 1861	200 00
Penitentiary, unexpended appropriation of Jan., 1861	1,548 89
D. A. and M. Society, balance to credit	296 83
Great Salt Lake County, appropriation of Jan., 1860	1,000 00

Territorial Incidental Expenses, appropriation	
Jan., 1860	\$134 00
Territorial Incidental Expenses, appropriation	
Jan., 1861	200 00
	<hr/>
	334 00
Books for Auditor's office, unexpended	28 00
Asa Catkin, arrears of salary as auditor for 1855	11 36
	<hr/>
	\$7,928 03

TREASURER'S REPORT.

TREASURER'S OFFICE,
Great Salt Lake City, Nov. 18, 1861. }

TO HIS EXCELLENCY JOHN W. DAWSON,
GOVERNOR OF UTAH TERRITORY:

SIR:—Agreeable to the requirements of law, I have the honor of presenting the following report of receipts and disbursements of the Treasury for the fiscal year ending October 31st, 1861.

Balance in the treasury on the 1st November, 1860, as per my last annual report, as follows:

Bills receivable	- - - - -	\$855 18
Wheat	- - - - -	803 30
Cash	- - - - -	08
		<hr/>
		\$1,663 56

Total amount of receipts from Nov. 1st, 1860, to	
Oct. 31st, 1861	- - - - -
	<hr/>
	21,542 30

\$23,205 86

Total amount of disbursements from Nov. 1st, 1860,	
to Oct. 31st., 1861	- - - - -
	<hr/>
	21,597 30

Balance in the treasury on Oct. 31st, 1861	-	<hr/>	\$1,608 56
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As follows:

Bills receivable	- - - - -	\$855 18
Wheat	- - - - -	753 30
Cash	- - - - -	08

\$1608 56

SUMMARY

Of Receipts and Disbursements for the fiscal year ending Oct. 31st, 1860.

RECEIPTS.

Amounts received from the Assessors and Collectors of the following Counties for Taxes due in the years designated:

Counties.	1859.	1860.	1861.	Total in		Grand
				Cash.	Warrants.	Total.
Davis -	141 29	1766 04		51 00	1856 33	1907 33
Weber		559 12		50 00	509 12	559 12
Cache -		312 50		50 00	262 50	312 50
Tooele -	662 32			5 25	657 07	662 32
Juab -	153 55			36 55	117 00	153 55
G. S. Lake	1000 00	7924 11	5089 00		14013 11	14013 11
Millard -		249 50		20 00	229 50	249 50
Sanpete		355 10		60	354 50	355 10
Iron -		262 65			262 65	262 65
Washington	8 92	182 43	8 65		200 00	200 00
Beaver -		228 10			228 10	228 10
Summit			72 50		72 50	72 50
Box Elder		685 02		168 60	516 42	685 02
Utah -		1679 50		25 00	1654 50	1679 50
Shambip		202 00			202 00	202 00
	\$1966 08	14406 07	5170 15	407 00	21135 30	

Total amount of receipts - - - \$21542 30
 Balance in the treasury, Nov. 1, 1860 - - - 1663 56

\$23205 86

DISBURSEMENTS.

Auditor's warrants redeemed at the treasury with Cash - - - \$407 00
 Currency - - - 5 00
 Wheat - - - 55 00
 Auditor's warrants taken on taxes - - - 21130 30

Total amount of disbursements - - - \$21597 80

Balance in the treasury on 31st Oct. 1861,
 as before stated - - - \$1608 56

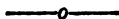
Your most obedient servant,
 DAVID O. CALDER, Territorial Treasurer.

On motion of Councilor Smith, Elias Smith, Esq., was elected Public Printer for the present session.

On motion of Councilor Woodruff, one thousand copies of the Governor's Message were ordered to be printed for the use of the Assembly and for distribution.

On motion of Hon. A. P. Rockwood, seventy-five copies of the daily minutes were ordered to be printed for the use of both Houses. Also to be printed, in pamphlet form, the names and residences of the members and officers of the two Houses, the Auditor and Treasurer's reports, and the standing committees of both Houses.

On motion of Hon. John V. Long, the joint session dissolved.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Tuesday, Dec. 10th, 1861, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Prayer by the Chaplain.

House went into joint session.

(See Joint Session minutes.)

On the Council retiring, the House resumed its session.

The Speaker appointed the following

Standing Committees of the House:

- On Judiciary:* Hosea Stout, Chauncey W. West, Aaron F. Farr.
- On Claims and Appropriations:* Hiram B. Clawson, Edwin D. Woolley, Albert P. Rockwood.
- On Petitions and Memorials:* Joseph A. Young, John V. Long, Albert K. Thurber.
- On Revenue:* Chauncey W. West, Hosea Stout, Horace S. Eldredge, John M. Moody.
- On Elections:* Aaron F. Farr, Silas S. Smith, Thomas Rhoads.
- On Counties:* Silas S. Smith, Benjamin F. Johnson, Peter Maughan.
- On Roads, Bridges, Ferries and Kanyons:* Bernard Snow, Thomas Rhoads, Thomas Grover, John Rowberry.
- On Education:* Albert K. Thurber, Benjamin F. Johnson, Bernard Snow.
- On Engrossing:* John V. Long, Joseph A. Young, Lorenzo H. Hatch.

- On Printing:* Hiram B. Clawson, Thomas Callister, Jonathan Midgley.
- On Agriculture, Trade and Manufactures:* Edwin D. Woolley, William Crosby, Peter Maughan, Thomas Grover.
- On Militia:* Albert P. Rockwood, Chauncey W. West, Thomas Callister, Edward W. Thompson.
- On Incorporations:* Joseph Holbrook, Edward W. Thompson, John Rowberry.
- On Library:* Lorenzo H. Hatch, Edward W. Thompson, Aaron F. Farr, John V. Long.
- On Public Domain and School Lands:* Horace S. Eldredge, Jonathan Midgley, John M. Moody, Joseph Holbrook, William Crosby.
- On Penitentiary:* Albert P. Rockwood, Edwin D. Woolley, Lorenzo H. Hatch.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow, at 11 a. m.

Benediction by the Chaplain.



WEDNESDAY, DECEMBER 11, 1861.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,

Wednesday, Dec. 11th 1861, 11 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Stout moved that the committee on Roads, Bridges and Ferries be instructed to bring in a bill providing for supervisors of roads, and a road tax to be paid in labor. Seconded and carried.

There being no business on the table, the unfinished business of last session was called on, when

(H. F. of last session No. 13) "act prescribing the manner of assessing and collecting Territorial and County taxes, was taken up and read, and

On motion of Mr. Rockwood, the bill was laid on the table indefinitely.

The remaining unfinished business was called for, when

(H. F. of last session No. 61.) "An act further defining the duties of pound-keepers and clerks of County courts," was taken up and read by its title, and,

On motion of Mr. Rockwood, referred to the committee on Counties, with instructions to bring in a bill.

The minutes were called for, read and accepted.

On motion of Mr. Stout, the House adjourned till to-morrow, at 10 a.m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 12, 1861.

COUNCIL.

COUNCIL CHAMBER, Great Salt Lake City, }
December 12, 1861. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Carrington moved, that the committee on memorials be instructed to draft, and at their earliest convenience report to the Council, a Memorial to Congress in relation to the admission of Utah into the Union as a State; and to embody in said Memorial the Assembly's full and cordial approbation and ratification of the doings and papers of the Convention begun and held in Great Salt Lake City, March 17, 1856, preparatory to the admission of Utah as aforesaid, which papers are now in the hand of our delegate, the Hon. Jno. M. Bernhisel.

The President instructed the committee accordingly.

Councilor Carrington moved, that a special committee of one be appointed on the part of the Council, to act with a like committee on the part of the House, to examine the vouchers for disbursements made by the Territorial Treasurer and to have authority to make such disposition of said vouchers as their judgment may dictate.

On motion of Councilor Hyde, Councilor Carrington was appointed said committee on the part of the Council.

On motion of Councilor Hyde, the Council adjourned till 1 o'clock a.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
December 12, 1861, 10 a.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The unfinished business of last session being called for (H. F. of last session No. 50) "An act defining the boundaries of counties" was taken up and read, and,

On motion of Mr. Stout, was referred to the committee on counties.

The minutes were called for, read, and accepted.

On motion of Mr. Long, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.



FRIDAY, DECEMBER 13, 1861.

**COUNCIL.**

COUNCIL CHAMBER, G. S. L. City, }
Dec. 13th, 1861, 1 o'clock p.m.

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smith, chairman of the committee on petitions and memorials, presented "Memorial for the admission of the State of Deseret into the Union," which was read, and,

On motion of Councilor Benson, was adopted, and ordered to be sent to the House for its concurrence.

Minutes read and accepted.

On motion of Councilor Benson, the Council adjourned till Monday the 16th inst., at eleven o'clock a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 13, 1861, 1 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long moved, that a committee be appointed on the part of the House, to act with the committee appointed in the Council, to examine Territorial Treasurer's vouchers for disbursements, and make such disposition thereof as they may deem proper. Seconded and carried.

Messrs. Woolley and Long were appointed said committee.

Mr. Rockwood presented, "An abstract of the account current of the Provo Canyon Road for the year ending Dec. 3, 1861," which was read, and,

On motion of Mr. Rockwood, the report and accompanying documents were referred to the committee on roads, bridges, ferries and canyons, with instructions to inquire into the subject; also to take into consideration the propriety of disposing of said road, and report.

Mr. Thompson gave notice that he would at an early day of the present session present a bill for authorizing the county surveyors to take the acknowledgment of transfers to land claims within their respective counties.

The following was received and read:

"COUNCIL CHAMBER, Dec. 13, 1861.

HON. JOHN TAYLOR, Speaker:

The Council has adopted the inclosed "Memorial for the admission of the State of Deseret into the Union," which is respectfully submitted for the action of your honorable body. Respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Rockwood, the memorial was read and referred to the committee on petitions and memorials with instructions to compare the memorial with the constitution adopted March 17, 1856, and report at an early day.

Mr. Snow moved, that the committee on incorporations be instructed to take into consideration the propriety of reporting an act to repeal or modify all city charters existing under previous acts of the Legislature. Seconded and carried.

The minutes were called for, read and accepted, and,

On motion of Mr. Long, the House adjourned till Monday at one p.m.

Benediction by the Chaplain.

MONDAY, DECEMBER 16, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 16, 1861, 11 o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following resolution was presented by Councilor Woodruff:

"Resolved, that the committee on appropriations are hereby instructed to include in the Territorial Appropriation Bill, the sum of two thousand five hundred dollars, to be expended in making culverts and gravelling the State road from Emigration street in Great Salt Lake City to Big Cottonwood."

On motion of Councilor Smith, the resolution was referred to the committee on roads, bridges, ferries and kanyons, with instructions to confer with the county and city authorities, with a view to obtain their co-operation, and a similar appropriation on their part for the same object.

Councilor Geo. A. Smith presented, (C. F. No. 2) "An act to provide for a convention of delegates for the formation of a State Constitution."

On motion of Councilor Cummings, the bill was received and read the first time.

On motion of Councilor Richards, the bill passed its first reading, and ordered to a second reading.

Section 1 passed.

Section 2 was read, and,

On motion of Councilor Hyde, the words "an official notification" were struck out, and the words "a certificate of election" inserted in lieu thereof.

Section 2 passed as amended.

Section 3 was read, and, on motion of Councilor Woodruff, the bill was referred to the committee on petitions and memorials.

The following message was received from the House:

"The accompanying 'Memorial for the admission of the State of Deseret,' (C. F. No. 1) has been duly considered by the House of Representatives, and in lieu thereof, they have adopted the accompanying 'substitute,' which is herewith respectfully submitted for your concurrence."

JOHN TAYLOR, Speaker."

The substitute for C. F. No. 1 was read, and,

On motion of Councilor Cummings, was referred to the committee on petitions and memorials.

The minutes were read and accepted.

On motion of Councilor Smith, the Council adjourned till 1 o'clock p.m. to-morrow.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 16, 1861, 1 p.m.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thompson presented,

(H. F. No. 1) "An act authorizing the County Surveyors to take the acknowledgment of transfer of land claims," which was read, and,

On motion of Mr. Rowberry, the bill was referred to the committee on judiciary.

Mr. Hatch, chairman of committee on library, presented the following report:

TO THE HON. COMMITTEE OF THE HOUSE

OF REPRESENTATIVES FOR THE TERRITORY OF UTAH:

GENTLEMEN:—In making a report of the library for 1861, I have to notify that there has been added to the catalogue of books

By Ex-Governor Cumming	47 vols.
By Secretary F. Fuller	21 "
From the Department of the Interior	19 "
From the Department of the Interior	10 maps.
Donated by the Hon. Mrs. Cumming	10 vols.
by the Ex-Secretary F. H. Wootton	1 "
by John C. James, late member of the Legislature	1 "

Sent by Government and donated, making a
total of - - - - - 109 vols.

The present report of the library stands in the same state as reported for the year 1860. (See Librarian's report,) "Journal of the Legislative Assembly for 1860 and '61, page 91."

Nearly one hundred volumes are laid past for your inspection, to be bound and repaired.

The library stands also in need of a note or entry-book, alphabetically arranged, and other stationery, brooms, brushes, etc.

Yours respectfully to command,

JOHN LYON, Librarian.

G. S. L. City, Dec. 16, 1861.

Said committee on library also reported that, upon an examination into the condition of the books of said library, they found about one hundred volumes that required to be rebound and otherwise repaired; also, there was wanted a blank alphabetical book, for the use of the office, together with stationery, brooms, brushes, etc.; and recommended the appropriation of the sum of \$125 for to defray the said necessary expenses.

Mr. Snow moved, that the report of the committee on library, also, the librarian's report be accepted, and the committee on claims and appropriations be instructed to incorporate in the general appropriation bill the sum of one hundred and twenty-five dollars, to be expended under the direction of the librarian. Seconded and carried.

Mr. Young, chairman of committee on petitions and memorials, to whom was referred (C. F. No. 1,) "Memorial for the admission of the State of Deseret," reported adversely, and presented a substitute, which was read, and,

On motion of Mr. Stout, was adopted.

Mr. Stout presented,

(H. F. No. 2) "An act in relation to attachments and garnishments," which was read, and,

On motion of Mr. Young, was received, and fifty copies ordered to be printed for the use of the Assembly.

Mr. Rockwood moved, that the committee on education be instructed to obtain from the Territorial Superintendent of Common Schools a report of the situation of the common schools in the Territory, and report at an early day. Seconded and carried.

The minutes were called for, read, and accepted.

On motion of Mr. Young, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 17, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 17, 1861, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

MR. PRESIDENT:—I have the honor to inform you that the House have appointed a special committee of three, to act in conjunction with a like committee from the Council, "to take into consideration the first seven pages, and part of the eighth page of the Governor's Message," and to consider the propriety of calling a convention to frame a Memorial and Constitution praying for the immediate admission of Utah as a State into the Union on an equal footing with the original States.

JOHN TAYLOR, Speaker.

On motion of Councilor Hess, the action of the House was concurred in, and the President appointed Councilors Smith, Carrington and Hyde a committee to act in conjunction with the House committee on the subjects above referred to.

Councilor Hyde presented, petition from Wm. A. Hickman, praying for a charter for a turnpike road across the Western Desert, which was read, and,

On motion of Councilor Benson, was referred to the committee on incorporations.

Councilor Carrington, on behalf of the special committee, reported that they had met with the committee of the House, and had taken into consideration that portion of the Governor's Message referred to; also the propriety of calling a convention to frame a Memorial and Constitution praying for the immediate admission of Utah as a State into the Union, and reported back (C. F. No. 2) with amendments, which was read the second time by sections, and,

On motion of Councilor Harrington, passed as amended.

The bill was read the third time, and,

On motion of Councilor Richards, the title was amended by striking out the word "State" from before the word "Constitution," and by adding the words "and State Government" after the word

Constitution, and so the bill passed, and was sent to the House for their concurrence.

Councilor Smith, chairman of the committee on petitions and memorials, to whom was referred "House Substitute" for (C. F. No. 1) "Memorial for the admission of the State of Deseret," reported the same back with amendments, which was read as amended.

On motion of Councilor Spencer, was adopted, and ordered to be sent to the House for concurrence in the amendments.

On motion of Councilor Smith, the committee on revenue was instructed to take under consideration the 2d paragraph on the 8th page of the Governor's Message in relation to "An act to provide increased revenue from imports to pay interest on the public debt; and for other purposes," approved Aug. 5, 1861, and report at an early day by bill or otherwise.

The minutes were read and accepted.

On motion of Councilor Benson, Council adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 17, 1861, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker referred the several portions of the Governor's Message to their appropriate committees, viz.:

"As the first seven, and part of the eighth pages of the Governor's Message are an exposition of his Excellency's views relative to the origin and causes of the war, the present position of the belligerent parties, the prospects, resources and power of the Federal Government to cope with and overcome the Confederate forces and restore the disaffected States to their former position and allegiance; and referring to the position that Utah ought to occupy in the present unnatural struggle; all of which not coming within the purview of our ordinary course of legislation, I would respectfully suggest that the most appropriate committee to which it can be referred will be a special committee, which it would be well to appoint to confer with a like committee to be appointed by the Council, to consider the propriety of calling a convention to frame a Memorial and Con-

stitution praying for the immediate admission of Utah as a State into the Union, on an equal footing with the original States.

The 2d par., 8th page, is referred to the committee on revenue.

The 3d to the 6th par. inclusive, 8th page, is referred to the committee on petitions and memorials.

The first part of the 7th par. on the 8th page is referred to the committee on judiciary, and the latter part of the said par., on the 9th page, is referred to the committee on counties, and the two are requested to confer together in relation to the present boundaries.

The first, second, third and fourth paragraphs on page 9, are referred to the committee on education.

The fifth par. page 9, to the committee on penitentiary.

The sixth par. page 9, to the committee on claims and appropriations."

Mr. Stout moved, that a special committee be appointed to confer with a like committee to be appointed by the Council in relation to the first seven and part of the eighth pages of the Governor's Message, Seconded and carried.

The Speaker appointed Messrs. Stout, West and Snow said special committee.

The following message and accompanying report were received and read:

HON. JOHN TAYLOR, SPEAKER, AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—In compliance with an act of the Legislative Assembly of the Territory of Utah, approved Jan. 20, 1860, inclosed you will find a brief report of the condition of the Utah Penitentiary, the number of convicts, their condition, when, for what, and how long sentenced, specifying how many Territorial; the fiscal affairs; also, the avails arising from the labor of convicts, and an approximate estimate of the means necessary to defray expenses for the ensuing year.

We have the honor to be, very respectfully, your obedient servants,

FERAMORE LITTLE,
FREDERICK KESLER,
E. R. YOUNG,

} Directors of the Utah
Penitentiary.

MR. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The cells of the Utah Penitentiary have been considerably improved; the balance of the buildings are in about the same condition as they were at the time of our last report.

On the 14th of Dec., 1860, the date of last report, there was one U. S. and eight Territorial prisoners in the Utah Penitentiary.

David McKenzie, U. S. prisoner, released Feb. 6th, 1861, on a writ of error from Chief-Justice J. F. Kinney.

Theodore Thorp, Territorial prisoner, released on bail, Feb. 5th, 1861.

Moses Clarke, released from the Penitentiary Feb. 22d, 1861, by pardon from his Excellency, A. Cumming, Governor of Utah Territory.

James Graham, escaped from the Penitentiary on the 14th Feb., 1861, at night; brought back March 13th, and released from the Penitentiary March 19th, 1861, by pardon from his Excellency, A. Cumming, Governor of Utah Territory.

William Riley Green, escaped from the Penitentiary on the night of the 14th Feb., 1861; brought back April 6th.

John Laird, jun., escaped from the Penitentiary Feb. 14th, 1861, at night, voluntarily came back May 1st, 1861.

Delos M. Gibson, escaped from the Penitentiary Feb. 14th, 1861, at night, brought back on the 23d day of July.

Peter B. Clarke and Schoche-he-ka, an Indian, escaped from the Penitentiary Feb. 14th, 1861, and are still at large.

From Dec. 14th, 1860, to Dec. 10th, 1861, four Territorial prisoners have been received in the Penitentiary, viz.:

Jonathan Hoops, sentenced to the Penitentiary July 12th, 1861, for larceny, for the term of eighteen months.

John Ormond, sentenced to the Penitentiary Sept. 14th, 1861, for assault with intent to kill, for the term of fifteen months.

Charles and Truelove Manhard, sentenced to the Penitentiary Sept. 14th, 1861, for robbery, for the term of fifteen years.

Jonathan Hoops, taken from the Penitentiary Dec. 11th, to appear before Justice Crosby at Provo city, on writ of habeas corpus. Leaving six Territorial prisoners now in the Utah Penitentiary.

There has been but little sickness amongst the convicts during the past year; their general health at present is good.

Total Amount of Expenditure to Dec. 18th, 1861.

Amount for guard service, drawn in favor of A. McRae, from Dec. 14th to Feb. 1st	\$550 00
Amount for supplies, drawn in favor of A. McRae, warden, from Dec. 14th to Feb. 1st	200 00
Amount for guard service; J. A. Little, warden	1,338 00
" Clothing	136 50
" Bedding	69 75
" Supplies	12 35

Amount for Provisions	- - - - -	663 20
" Ammunition	- - - - -	10 49
" Cooking utensils and stove	- - - - -	81 25
" Arrest of prisoners	- - - - -	132 00
" Stationery	- - - - -	3 10
" Fire wood	- - - - -	187 27
" Repairs on Penitentiary	- - - - -	78 40
" Irons for prisoners	- - - - -	7 00
" Manufacture of baskets	- - - - -	12 00
" Lantern	- - - - -	3 00
" Clock	- - - - -	10 00
" Use of team	- - - - -	2 50
" Relief of warden	- - - - -	773 39
		<hr/>
		\$4,265 11
By amount of appropriation for 1861	- - - - -	\$5,000 00
Expenditure brought down	- - - - -	4,265 11
		<hr/>
Amount of appropriation not used	- - - - -	\$734 89
Provisions, wood and clothing on hand	- - - - -	\$490 44
Amount received for labor of convicts, as per Warden's report	- - - - -	175 00
(This amount charged to Warden in his account)		
Probable amount of appropriation required from January 20th, 1862, to January 20th, 1863	- - - - -	5,000 00

We respectfully submit this report for your consideration,

FERAMORZ LITTLE,	} Directors of Utah Penitentiary.
E. R. YOUNG,	
FREDERICK KESLER,	

On motion of Mr. West, the report of the Directors of the Penitentiary was referred to the committee on penitentiary.

On motion of Mr. Stout, fifty copies of the report of the Directors of the Penitentiary, also the Librarian's report were ordered to be printed in pamphlet form for the use of both houses of the Assembly.

A petition was received and read from Philander Bell, Dry Creek, asking for the privilege of keeping a public house, with the liberty of selling spirituous and malt liquors, etc., which,

On motion of Mr. Stout, was referred to the committee on public domain and school lands.

Mr. Stout, chairman of committee on judiciary, to whom was referred

(H. F. No. 1.) "An act authorizing the County Surveyors to

take the acknowledgment of transfer of land claims," reported that they had taken into consideration said bill and deemed legislation thereon inexpedient.

On motion of Mr. Woolley, the report was received and the committee discharged from further consideration of the subject.

The following message was received and read:

"COUNCIL CHAMBER, Dec. 17, 1861.

HON. JOHN TAYLOR, SPEAKER, ETC.

The Council has concurred in your action with regard to a special committee, and have appointed Councilors Smith and Hyde a committee to act in conjunction with that of the House.

Respectfully,

DANIEL H. WELLS, President.

Mr. Snow presented the following report from the chairman of joint committee:

"TO THE HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The joint committee to whom was referred the first seven and a part of the eighth pages of the Governor's Message report that they have taken into consideration that part of said reference calling a convention to form a constitution for the admission of Utah into the Union, and find that a bill is now pending in the Council for the purpose of calling said convention. The immediate passage of said bill we would respectfully recommend.

GEO. A. SMITH, Chairman."

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, DECEMBER 18, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 18, 1861, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff presented,

[Dec. 18,

(C. F. No. 3) "An act concerning the collection and payment by the Territory of Utah, her apportionment of the direct tax, apportioned by Act of Congress, approved Aug. 8, 1861, which was read, and,

On motion of Councilor Richards, passed its first reading.

Councilor Smith presented,

(C. F. No. 4) "Memorial to Congress for the donation of public lands to settlers, and for educational purposes," which was read, and,

On motion of Councilor Snow, was adopted, and ordered to be sent to the House for concurrence.

Councilor Woodruff presented,

(C. F. No. 5) "Resolution concerning the printing of the Journals," which was read, and,

On motion of Councilor Benson, read the second time, and,

On motion of Councilor Smith, was read the third time, and so passed, and was ordered to be sent to the House for its concurrence.

Councilor Richards moved, that the Governor be requested to inform the Legislative Council if the Government intends stationing troops in Utah for the protection of the stations and property of the Overland Mail Company, or for any other purposes. Carried.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, G. S. L. City, }
Dec. 18, 1861.

HON. DANIEL H. WELLS, PRESIDENT:

The House have passed the bill (C. F. No. 2) "An act to provide for a convention of delegates for the formation of a Constitution and State Government," with the following amendments, viz.:

Sec. 1, line 8, by substituting the figure "8" in lieu of "13." By adding the words "and which shall also show the number of votes for and against a convention," at the close of Sec. 2, and inserting after the words "January, 1862, and" in Sec. 3, "if it shall appear by the returns from the several counties that the majority of the people are in favor of a convention, they" and substituting the word "third" in lieu of the word "fourth" in the second line of said Sec. 3, to which amendments the concurrence of the Council is respectfully requested.

JOHN TAYLOR, Speaker.

The bill (C. F. No. 2) "An act to provide for a convention of delegates for the formation of a Constitution and State Government" was read as amended, and,

On motion of Councilor Cummings, the Council concurred in the amendments.

On motion of Councillor Benson, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 18, 1861, 1 p. m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received and read from the Council announcing the passage of

(C. F. No. 2) "An act to provide for a convention of delegates for the formation of a Constitution and State Government."

Said bill was taken up and read, and,

On motion of Mr. Stout, passed its first reading.

A message was received from the Council and read, announcing their concurrence in "Memorial for the admission of the State of Deseret," with certain specified amendments.

Said memorial was taken up and read as amended, and,

On motion of Mr. Thurber, was adopted as amended.

Mr. Holbrook, chairman of committee on incorporations, to whom was referred the motion of Mr. Snow on the 13th inst., to take into consideration the propriety of reporting an act to repeal or modify all city charters, reported,

(H. F. No. 3) "An act to repeal certain city charters," which, was taken up, and read, and,

On motion of Mr. Stout, the report of the committee was received, and the bill laid on the table to come up in its order.

The oldest bill on the table being called up,

(C. F. No. 2) "An act to provide for a convention of delegates for the formation of a Constitution and State Government," was taken up on its second reading by sections, and,

On motion of Mr. Stout, the fifth line in the first section was amended by inserting the "6th" in lieu of the "13th," and so passed.

On motion of Mr. Stout, the 2d section was amended by appending thereto the words, "and which shall also show the number of votes for and against a convention," and was so passed.

On motion of Mr. Snow, the words "fourth Monday," in the 3d section, was stricken out, and the words "third Monday" were inserted instead.

On motion of Mr. Young, the following words were inserted in sec. 3, line 3, after the words and figures "January, 1862, and," "if it shall appear by the returns from the several counties that the majority of the people are in favor of a convention, they," and so passed.

On motion of Mr. West, the 4th section passed.

On motion of Mr. Woolley, the 5th section passed.

On motion of Mr. Grover, the bill passed its second reading as amended.

A message was received from the Council and read, informing the House of their adoption of "Memorial to Congress for the donation of public lands to settlers and for educational purposes."

Said memorial was taken up, and read, and,

On motion of Mr. Stout, the House concurred in the adoption thereof.

(C. F. No. 5) "Resolution concerning the printing of the Journals," which was passed by the Council, was taken up and read, and,

On motion of Mr. Clawson, was referred to the committee on judiciary.

Mr. Stout, chairman of committee on judiciary, to whom was referred

(C. F. No. 5) "Resolution concerning the printing of the Journals," reported back the same and recommended its passage.

On motion of Mr. West, the House concurred in the adoption of said resolution.

(C. F. No. 2.) "An act to provide for a convention of delegates for the formation of a Constitution and State Government," was called up on its third reading, and,

On motion of Mr. Young, passed its third reading.

Said bill was read by its title and so passed, and was ordered to be sent to the Council for their concurrence in the amendments.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 1 p.m. ,

Benediction by the Chaplain.

THURSDAY, DECEMBER 19, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Dec. 19th, 1861, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"The House has concurred in your amendments to the 'Memorial for the admission of the State of Deseret.'

They have also concurred in the following (C. F. No. 4) 'Memorial to Congress for the donation of public lands to settlers and for educational purposes.'

(C. F. No. 5) 'Resolution concerning the printing of the Journals.'

The two latter are respectfully returned to be engrossed. Respectfully,
JOHN TAYLOR, Speaker."

A communication was received from His Excellency the Governor respectfully informing the Legislative Council that he had no information in his possession relative to the subject of inquiry.

Councilor Benson moved, that the Honorable Mr. Fuller, Secretary of the Territory, be requested to furnish the members and officers of this Legislative Assembly with one copy each of the *Deseret News* during its present session. Carried.

Councilor Smith presented, "Memorial to Congress for semi-weekly mail service from Fillmore to San Bernardino, California," which was read, and,

On motion of Councilor Harrington, was adopted and ordered to be sent to the House for concurrence.

Councilor Snow presented,

(C. F. No. 7) "Resolution to examine a route for and establish a Territorial road," which was read, and,

On motion of Councilor Richards, was referred to the committee on roads, bridges, ferries and kanyons.

On motion of Councilor Smith, Council adjourned till to-morrow at 1 o'clock p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 19, 1861, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

(H. F. No. 3) "An act to repeal certain city charters" was taken up on its first reading, and,

On motion of Mr. West, passed its first reading.

Mr. Thurber moved, that the committee on elections be instructed to report, at an early day, the number and kind of offices to be filled by the joint vote of this Legislative Assembly. Seconded and carried.

Mr. Smith, chairman of committee on counties, to whom was referred,

(H. F. of last Session, No. 61,) with instructions to bring in a bill, reported, (H. F. No. 4) "An act further defining the duties of stray-pound keepers and for other purposes," and recommended its passage.

On motion of Mr. West, the report was received, and fifty copies of the bill were ordered to be printed for the use of both Houses of the Assembly.

Mr. Rockwood moved, that the committee on printing wait upon the Honorable, the Secretary of the Territory, and request him, in the name of the House of Representatives, to furnish each member and officer thereof with a copy of the current volumes of the weekly papers published in the Territory. Seconded and carried.

The oldest bill on the table being called up,

(H. F. No. 3) "An act to repeal certain city charters," was taken up on its second reading, by sections, and,

On motion of Mr. Long, the 1st Section passed.

On motion of Mr. Long, the 2d Section passed.

On motion of Mr. Thurber, the word "Aldermen" was inserted in the 3d Section, fourth line, after the word "Mayors."

On motion of Mr. Hatch, the 3d Section passed as amended.

Mr. West voted against the passage of each Section of said bill and wished his vote entered on the Journals of the House.

The minutes were called for, read and accepted.

On motion of Mr. Long, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, DECEMBER 20, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 20th, 1861, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Snow presented petition from the Mayor and City Council of Great Salt Lake City, praying for an amendment of the Charter of Great Salt Lake City, which was read, and,

On motion of Councilor Smith, was referred to the committee on incorporations, with instructions to report a bill making the required amendments to the Charter.

Councilor Hyde, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred (C. F. No. 7) "Resolution to examine a route for, and establish a Territorial road," reported favorably to the passage of said resolution; said resolution was taken up and read, and,

On motion of Councilor Smith, passed to its second reading; read the second time, and,

On motion of Councilor Smith, was amended.

On motion of Councilor Carrington, the resolution was further amended.

On motion of Councilor Richards, the resolution was referred back to the committee on roads, bridges, ferries and kanyons, with instructions to present a bill authorizing the Territorial Road Commissioner to locate a road in Davis, Weber and Box Elder counties,

The following message was received from the House:

"The House has concurred in the accompanying (C. F. No. 6) 'Memorial to Congress for semi-weekly mail service from Fillmore to San Bernardino, California,' which is herewith returned to be engrossed.

JOHN TAYLOR, Speaker."

(C. F. No. 2) "An act concerning the collection and payment by the Territory of Utah, her apportionment of the direct tax, apportioned by act of Congress, approved Aug. 5, 1861," being called for, was taken up on its second reading, and, pending its consideration,

The minutes were called for, read and accepted.

On motion of Councilor Benson, the Council adjourned till Monday at 1 o'clock p.m.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 20th, 1861, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council, inclosing
(C. F. No. 6) "Memorial to Congress for semi-weekly mail service from Fillmore to San Bernardino, California," which had been adopted by the Council and forwarded for the action of the House.

Said memorial was taken up, read and,

On motion of Mr. Stout, adopted.

The oldest business on the table being called up,

(H. F. No. 3) "An act to repeal certain city charters," was taken up on its third reading, and,

On motion of Mr. Maughan, the further consideration of the bill was postponed till the third day of January, 1862.

Mr. Rockwood moved, that the committee on education be instructed to take into consideration the propriety of creating the office of Territorial Historian. Seconded and carried.

Mr. Clawson, in behalf of committee on printing, who were instructed to wait upon the Honorable the Secretary of the Territory, and request him in the name of the House of Representatives to furnish each member and officer thereof with a copy of the current volumes of the weekly papers published in the Territory, reported that they had waited upon the Honorable, Secretary and made the request, when his honor informed them that he did not feel at liberty to furnish the current volume of the papers published in this Territory, but would take pleasure in furnishing the *Deseret News* to the members and officers of the House of Representatives during the present session.

On motion of Mr. Long, the report was accepted, and the committee discharged from further duties on the subject.

Mr. Farr, chairman of committee on elections, reported a list of the number and kind of offices made elective by joint vote of the Legislative Assembly, which was read, and,

On motion of Mr. Rockwood, was referred back for further consideration.

The minutes were called for, read and accepted.

On motion of Mr. Long, the House adjourned till Monday at 1 p.m.

Benediction by the Chaplain.

MONDAY, DECEMBER 23, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 23, 1861, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smith presented,

(C. F. No. 9) "Memorial to Congress for an act authorizing treaties with Indians and the extinguishment of the Indian title," which was read, and,

On motion of Councilor Hyde, was adopted.

Councilor Hyde, chairman of the committee on roads and bridges, to whom was referred (C. F. No. 7) "Resolution to examine a route for and establish a territorial road," reported back said bill by substitute (C. F. No. 8) "An act to establish a road in Davis, Weber and Box Elder counties," which was read, and,

On motion of Councilor Smith, passed to its second reading.

The bill was read a second time, and,

On motion of Councilor Richards, passed to its third reading by its title.

On motion of Councilor Benson, the bill so passed, and was ordered to be sent to the House for concurrence.

Councilor Hyde, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred (C. F. No. 1) "Resolution appropriating two thousand five hundred dollars to be expended on the State Road between Great Salt Lake City and Big Cottonwood," reported progress and asked for further time.

On motion of Councilor Smith, the report was received and further time granted said committee.

(C. F. No. 3) "An act concerning the collection and payment by the Territory of Utah her apportionment of the direct tax, apportioned by act of Congress and approved August 5th, 1861," being called for was read the second time, and,

On motion of Councilor Woodruff, the bill was again postponed for further consideration.

Councilor Cummings, on behalf of the committee on incorporations, to whom was referred the petition of the Mayor and City Council of Great Salt Lake City, presented the following report:

TO THE HON. THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL OF THE TERRITORY OF UTAH:

GENTLEMEN:—The committee on incorporations, to whom was referred the petition of the Mayor and City Council of Great Salt Lake City, praying for an amendment to said city charter, have duly considered the petition, and submit the accompanying bill and recommend its passage (C. F. No. 10) "An act to amend an act to incorporate Great Salt Lake City, approved Jan. 20, 1860."

On motion of Councilor Smith, the report was received and the bill read the first time.

On motion of Councilor Cummings, the bill passed to its second reading.

On motion of Councilor Spencer, the bill passed its third reading by its title, and was ordered to be sent to the House for its concurrence.

The following communications were received from His Excellency the Governor:

"EXECUTIVE OFFICE, G. S. L. City, }
Dec. 21, 1861.

SIR:—A bill (C. F. No. 2) entitled 'An act to provide for a convention of delegates for the formation of a Constitution and State Government,' which passed the House of Representatives of this Territory, on the 17th inst., and was concurred in by the Council, on the 18th inst., was submitted to me on the 19th, for executive action, and having been by me duly considered, is herewith returned to the Council in which it originated, *without my approval*.

Subjoined are my reasons for my course in this behalf:

The time which intervenes the passage of the act, and that fixed in the act itself, viz., Jan. 6, 1862, on which to take the sense of the electors of the Territory, 'for or against' a convention, and authorizing them to vote for such persons as they may wish to elect delegates to such convention, is too short to allow the act to be officially submitted to the Congress of the United States for the action of that body thereon; without which submission, in my opinion, it can not take effect, as will be seen by reference to the last clause of the 6th section of the act of Congress, entitled 'An act to establish a Territorial Government for Utah,' approved 9th Sept., 1850, which clause is herein embodied, viz., 'All laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and if disapproved, shall be null and of no effect.'

The same objection lies to the bill so far as it relates to the time fixed, to wit: the third Monday of Jan., 1862, on which to hold

the proposed convention; besides which reasons, the subject is, in my opinion, of too much consequence to put it so hastily before the electors of the Territory, and requiring a vote thereon, without even giving a large number of them any notice of the passage of the act, and the whole not a sufficiency of time wherein to canvas the expediency of such an important step at this time.

Another objection, in my opinion, lies to the bill, viz., it proposes to fix the boundaries of the State, while that power belongs exclusively to the Congress of the United States.

Finally, recurring to the practice of the early territories of the United States, I find that such territories memorialized Congress for an act enabling them to elect delegates and hold a convention to form a constitution preparatory to admission into the Union, and that such a course was not attended with difficulties with which a departure therefrom has been attended in later years; and to this end and to avoid difficulties like unto those which form a serious page in late territorial history, and as a course most likely to facilitate the end which the Legislative Assembly seem to desire, and to bring the whole matter before Congress and this people, I recommend that the Assembly make application to Congress for the passage of an act enabling it to elect delegates to hold a convention and form a Constitution preparatory to the admission of the Territory of Utah into the Union, in accordance with the Organic Act.

I am, sir, in high consideration,

Yours respectfully,

JOHN M. DAWSON, Gov. of U. T.

To HON. D. H. WELLS, President of the Council
of the Legislative Assembly of Utah Territory."

"EXECUTIVE OFFICE, G. S. L. City, }
Dec. 23, 1861.

SIR:—I have approved and signed 'A resolution concerning the printing of the Journals,' also the 'Memorial to Congress for the donation of public lands to settlers and for educational purposes.

Very respectfully, yours,

JOHN W. DAWSON.

Hon. D. H. Wells, President."

"EXECUTIVE OFFICE, G. S. L. City, }
Dec. 21, 1861.

SIR:—The Memorial of the Legislative Assembly of the Territory, which relates to the admission of Utah Territory into the Union, passed by the Council on the 18th inst., and concurred in by the House of Representatives on the 19th inst., having been sub-

mitted to me for executive action, is herewith returned to the Council without my approval; nor does such an instrument need the approval of the Executive of the Territory to give it effect.

However, were my approval necessary, I could not give it to this Memorial, because it is not accompanied by a State Constitution, without which there would be nothing on which to base Congressional action thereon. A State Constitution is an indispensable prerequisite to such an application for admission, that Congress may judge if it be Republican in form and not incompatible with the Federal Constitution.

Very respectfully, yours,

JOHN W. DAWSON.

Hon. D. H. Wells, President."

"HOUSE OF REPRESENTATIVES,
23d Dec., 1861. }

HON. D. H. WELLS, PRESIDENT:

The House of Representatives have concurred in (C. F. No. 9) 'Memorial to Congress for treaties with Indians, etc.,' which is herewith returned for the further disposition by the Council.

JOHN TAYLOR, Speaker."

The minutes were called for, read and accepted.

On motion of Councilor Benson, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 23, 1861, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Snow, in behalf of committee on roads, bridges, ferries and kanyons, who were instructed to report an act in relation to roads providing for a tax to be paid in labor, having duly considered the matter, respectfully submitted the accompanying acts, and recommended their passage:

(H. F. No. 6) "An act repealing a portion of an act in relation to the judiciary."

(H. F. No. 6) "An act repealing an act incorporating the city of Palmyra, and certain sections in several other acts of incorporation."

(H. F. No. 7) "An act providing for a poll tax for road purposes," which were read respectively, and,

On motion of Mr. Long, the report of the committee was accepted, and the bills laid on the table to come up in their order.

The following communication from Theodore McKean, Esq., Territorial Road Commissioner, was read:

TO THE HON. THE LEGISLATIVE ASSEMBLY
OF THE TERRITORY OF UTAH:

GENTLEMEN:—I have the honor to present a statement of the amount expended in the erection of Jordan and Weber bridges, together with a report of the Territorial roads located and improved since my last report.

There has been expended for the erection of Jordan Bridge, ten thousand nine hundred and sixty-eight 43.100 dollars, as per statements Nos. 1 and 2, herewith presented, leaving a balance of the Territorial appropriation unexpended of eighteen 86.100 dollars.

The Weber Bridge has been erected at a cost of six thousand one hundred and seven 05.100 dollars, as per Statement No. 3, which has exceeded the amount appropriated eleven hundred and seven 05.100 dollars.

I have located a Territorial road from the eastern terminus of Great Salt Lake City and Weber road down the Weber river to the mouth of Echo Canyon, and have notified those interested to have the same opened by the first day of May next.

Since my last report, President D. H. Wells has expended on Great Salt Lake City and Weber road, three thousand eight hundred and twenty-nine 85.100 dollars, which, with the balance of his account, after deducting the Territorial and Great Salt Lake county appropriations, amounts to seven thousand eight hundred and ninety-four 25.100 dollars, as per Statement No. 4.

I would respectfully recommend that appropriations be made by your honorable body to cancel the amount expended on the Weber Bridge, to reimburse President D. H. Wells for the amount he has expended on Great Salt Lake City and Weber road, for a bridge over the Weber at the terminus of said road, and to improve the road recently located down the Weber river to Echo Canyon.

Respectfully,

THEODORE MCKEAN,

Road Commissioner.

G. S. L. City, Dec. 19, 1861.

STATEMENT No. 1 and 2.**JORDAN BRIDGE:**

To amount paid for rock	-	-	-	-	-	\$977 47
" " " hauling, etc.	-	-	-	-	-	119 25
" " " blacksmith work, etc.	-	-	-	-	-	1,528 04
" " " Lime	-	-	-	-	-	234 00
" " " Lumber	-	-	-	-	-	3,906 00
" " " Labor, etc.	-	-	-	-	-	4,203 27
						<hr/>
						\$10,968 43

STATEMENT No. 3.**WEBER BRIDGE:**

To amount paid for putting in abutments	-	-	\$1,300 00
" " " Lumber, labor, blacksmith work, etc.	-	-	4,807 05
			<hr/>
			\$6,107 05

STATEMENT No. 4.**G. S. L. CITY AND WEBER ROAD:**

Amount expended on the same in 1860	-	-	\$10,064 40
" " " " 1861	-	-	3,829 85
			<hr/>
			\$13,894 25
Deduct appropriation	-	-	6,000 00
			<hr/>
Balance	-	-	\$7,894 25

On motion of Mr. Long, the Territorial Road Commissioners' report, with accompanying Statements, were referred to the committee on claims and appropriations.

The following bill was received from Daniel Carn, ex-Warden of the Utah Penitentiary, and read:

THE TERRITORY OF UTAH, DR.

To DANIEL CARN,

For three years' services as Warden of the Utah Penitentiary, viz.: the years 1857, 1858 and 1859, for which I have as yet received no remuneration; my said services, estimated at \$1,000 per annum, is **\$3,000**

In consequence of the bill presented by me during the Session 1860-61 being lost or mislaid, I have thought best to present the same again as above. Respectfully,

DANIEL CARN.

On motion of Mr. Young, said bill was referred to the committee on claims and appropriations.

Mr. Long presented, "Petition for removal of a fish trap in Utah county," which was read; and,

On motion of Mr. Stout, was referred to the committee on public domain and school lands, with instructions; also authority to call for persons and papers.

The following was received, and read:

"COUNCIL CHAMBER,
Great Salt Lake City, Dec. 23, 1861.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

The accompanying act and memorial have passed the Council, and are respectfully submitted for your concurrence:

(C. F. No. 8) 'An act to establish a road in Davis, Weber and Box Elder counties.'

(C. F. No. 9) 'Memorial to Congress for an act authorizing treaties with Indians, and the extinguishment of the Indian title.'

Respectfully,

DANIEL H. WELLS, President."

(C. F. No. 8) "An act to establish a road in Davis, Weber and Box Elder counties," was taken up and read, and,

On motion of Mr. Rockwood, the bill was referred to the committee on roads, bridges, ferries and kanyons.

(C. F. No. 9) "Memorial to Congress for an act authorizing treaties with Indians, and the extinguishment of the Indian title," was taken up and read, and,

On motion of Mr. Stout, the House concurred in the adoption thereof.

The oldest business on the table being called up,

(H. F. No. 2) "An act in relation to attachments and garnishments," was taken up on its first reading, and,

On motion of Mr. Rockwood, passed its first reading.

A message was received from the Council, and read, inclosing,

(C. F. No. 10) "An act to amend 'an act to incorporate Great Salt Lake City,' approved Jan. 20, 1860."

Said bill was taken up and read, and,

On motion of Mr. Long, passed its first reading.

(H. F. No. 4) "An act further defining the duties of stray-pound keepers, and for other purposes," was taken up on its first reading, and,

On motion of Mr. Stout, passed its first reading.

(H. F. No. 5) "An act repealing a portion of 'an act in relation to the judiciary,'" was taken up and read; and,

On motion of Mr. Stout, passed its first reading.

(H. F. No. 6) "An act repealing an act incorporating the city of Palmyra, and certain sections in several other acts of incorporation," was taken up on its first reading, and,

On motion of Mr. Rockwood, passed its first reading.

(H. F. No. 7) "An act providing for a poll tax for road purposes," was taken up on its first reading, and,

On motion of Mr. Rowberry, passed its first reading, and fifty copies thereof were ordered to be printed for the use of the Legislative Assembly.

Messages from his Excellency, Governor Dawson, were received, through the courtesy of the Council, and read:

First. In relation to (C. F. No. 2) "An act to provide for a convention of delegates for the formation of a Constitution and State Government," assigning his reasons for the non-approval thereof.

Second. His approval of "Memorial to Congress for the donation of public lands to settlers and for educational purposes."

Third. In relation to "Memorial for the admission of Utah Territory into the Union," assigning his reasons for non-executive action thereon.

The minutes were called for, read and accepted.

On motion of Mr. Woolley, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 24, 1861.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Dec. 24th, 1861, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Benson, chairman of the committee on elections, made the following report:

"Your committee on elections, to whom was referred the motion of Councilor Smith, in relation to the number and kind of officers

to be elected by the joint vote of the Legislative Assembly, respectfully report the following, viz.:

- One chancellor and twelve regents of the Deseret University;
- One treasurer of the University;
- One Territorial treasurer;
- One auditor of public accounts;
- One Territorial road commissioner;
- One Territorial marshal;
- One attorney general;
- One district attorney for the first judicial district;
- “ “ second “
- One Territorial surveyor-general;
- One librarian;
- One recorder of marks and brands;
- One warden of the Penitentiary;
- Three directors of the Penitentiary;
- One sealer of weights and measures;
- One probate judge and one notary public for Washington county;
- “ “ “ Iron “
- “ “ “ Beaver “
- “ “ “ Millard “
- “ “ “ Sanpete “
- “ “ “ Juab “
- “ “ “ Cedar “
- “ “ “ Utah “
- “ “ two notaries public for G. S. Lake “
- “ “ one notary public Davis “
- “ “ “ Weber “
- “ “ “ Box Elder “
- “ “ “ Cache “
- “ “ “ Green River “
- “ “ “ Summit “
- “ “ “ Tooele “
- “ “ “ Shambip “

On motion of Councilor Spencer, the report was received, and laid on the table to come up in joint session when called for.

A message was received from the House concurring in the request of the Council to adjourn over till Jan. 3d, 1862.

The minutes were called for, read and accepted.

On motion of Councilor Hyde, the Council adjourned till Jan. 3d, 1862, at 10 o'clock a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 24, 1861, 1 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Snow, chairman of committee on roads, bridges, ferries and kanyons, to whom was referred the report of Utah County court relative to the Provo Kanyon road, with accompanying documents, submitted the following report:

"We find the report correct as compared with the accompanying vouchers, that the balance due the Territory as per report is in book accounts, and consequently not paid over quarter-yearly to the Territorial Treasury as required by an act, approved Jan. 20th, 1860.

In view of this fact your committee desirous of adopting some measures by which said road may be sustained, and kept in a good passable condition, recommend the passage of the accompanying bill 'An act in relation to Provo Kanyon road.' "

Said bill was read, and,

On motion of Mr. West, the report of the committee was accepted, and the bill passed its first reading.

Mr. Eldredge, chairman of committee, to whom was referred the petition of Philander Bell, praying for the privilege of selling spirituous liquors, reported that they had inquired into the matter and found that the County Court has not refused to grant the petition or license, that the petition was not acted upon, but deferred, therefore deemed legislation thereon unnecessary.

On motion of Mr. Woolley, the report was received and the committee discharged from any further duties on the subject, with leave for the petitioner to withdraw his petition.

Mr. Hatch presented, "Petition of 120 citizens of Lehi city for repeal of Lehi city charter," which was read, and,

On motion of Mr. Thompson, the petition was referred to the committee on incorporations.

Mr. Hatch moved, that the committee on incorporations be also instructed in relation to the Lehi city charter, to examine an act (page 248, "Revised Statutes") granting to Charles Hopkins and others the right to build a bridge across Jordan river, and that said bridge be turned over to the County Court of Utah county to make such arrangements as shall secure the stockholders. Seconded and carried.

Mr. Thurber, chairman of committee on education, to whom was referred the motion of Mr. Rockwood, instructing the committee on education to obtain from the Superintendent of Common Schools a report of the situation of the common schools of the Territory, reported that they had ascertained that the Regents of the University last elected had not qualified nor appointed a Superintendent of Common Schools, nor had the last superintendent reported to the Regents, nor the secretary reported to the auditor of public accounts; and if the above delinquencies had not occurred, there is no law requiring the auditor to report to the Governor or Legislative Assembly; and therefore recommended the passage of the accompanying bill, "An act in relation to the Superintendent of Common Schools," which was read, and,

On motion of Mr. Long, the report was received, and the bill passed its first reading.

The following was received and read:

"COUNCIL CHAMBER, Dec. 21, 1861.

HON. JOHN TAYLOR, Speaker:

The Council has concluded to adjourn over till the 3d Jan., 1862, provided it meets with the concurrence of the House. Do you concur? Respectfully,

DANIEL H. WELLS, President."

Mr. Snow moved, that the adjournment of the House to-day be made to correspond with the wishes of the Council. Seconded and carried.

Mr. West, chairman of committee, to whom was referred that part of the Governor's message relating to the direct tax imposed upon this Territory by act of Congress, reported as follows:

"That they have considered the subject of the direct tax which the Territory is about to assume, and find difficulties hard to surmount. The direct tax laid on the United States is a tax laid on real property and the improvements thereon. To this there is the privilege given to each State or Territory to assume, assess and collect the said direct tax in their own way and manner.

The tax being laid upon real property and their improvements and buildings, and the privilege for the Territory to assess and collect the same in their own way and manner, confines our legislative action thereon to assessing and collecting said tax upon the property made taxable by Congress.

Another and greater difficulty which the committee have to encounter is the well-known fact, that all the lands of every description in this Territory is land, the Indian title of which is not extinguished.

While the paramount title of which lands are in the Federal government, and while said act imposing said direct tax specially exempts all lands and property made taxable by said act belonging to the United States, the Territory is left in the anomalous predicament of not having a foot of taxable lands or a freehold resident within her borders.

Thus situated are our citizens, with a direct tax of nearly \$27,000 imposed upon them. The tax laid upon a kind and description of property which does not exist or lay in the Territory.

In consequence of this perplexing and incongruous condition of affairs, the committee would call the attention of the Legislative Assembly to the propriety of the two Houses meeting in joint session, in committee of the whole, to consider the best manner of acting upon so obscure and difficult a subject."

On motion of Mr. Thurber, the report of the committee was accepted, and the recommendation adopted.

Mr. Snow, chairman of committee on roads, bridges, ferries and canyons, to whom was referred (C. F. No. 8) "An act to establish a road in Davis, Weber and Box Elder counties," reported that having duly considered the bill, they return the same, with recommendations for its passage.

On motion of Mr. Stout, the report was received, and the bill laid on the table to come up its order.

(H. F. No. 2) "An act in relation to attachments and garnishments," was taken up on its second reading, and,

On motions, amended by inserting the words "or is about to depart," in Sec. 3 of line 3; also, by adding, "Sec. 23, That 'an act governing writs of attachments and capias,' approved March 3, 1862, is hereby repealed."

(C. F. No. 10) "An act to amend 'an act to incorporate Great Salt Lake City,' approved Jan. 20, 1860," was taken up on its second reading, and,

On motion of Mr. Stout, passed its second reading.

(H. F. No. 4) "An act further defining the duties of stray-pound keepers, and for other purposes," was taken up on its second reading by sections, and,

On motion of Mr. Long, Sec. 2 was stricken out.

Pending discussion of said bill,

Mr. Young moved, that the same be referred to a special committee. Seconded and carried.

The Speaker appointed Messrs. Rockwood, Woolley, Johnson and Maughan said committee.

The minutes were called for, read and accepted.

On motion of Mr. Long, the House adjourned till Jan. 3, 1862, at 1 p.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 3, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 3, 1862, 10 o'clock a.m. }

Council met pursuant to adjournment.
Called to order by the President.
Roll called. No quorum present, and;
On motion of Councilor Spencer, Council adjourned till 1 p.m. to-morrow.
Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 3, 1862, 1 p.m. }

The House met pursuant to adjournment.
Called to order by the Speaker.
Roll called. Quorum present.
Prayer by the Chaplain.
The following was received and read:

"SECRETARY'S OFFICE, G. S. L. City,
Jan. 3, 1862.

HON. JOHN TAYLOR, SPEAKER, HOUSE OF REPRESENTATIVES:

SIR:—The duties of the Executive devolving upon the Secretary in the absence of the Governor, and Gov. Dawson having withdrawn from the Territory, I respectfully request that all communications designed for the Executive, be forwarded to me.

Respectfully,

FRANK FULLER, Secretary."

Mr. Long moved, that a committee of three be appointed to inquire into the reasons that have induced His Excellency, Gov. Dawson to leave the Territory during the session of the Legislative Assembly.

The Speaker appointed Messrs. Rockwood, Long and Stout said committee.

Mr. Rockwood presented, "Petition of Lewis Robison and Joshua Terry, praying for an extension of time in erecting the bridge over Green river, which they were authorized to erect by Legislative

enactment of date Jan. 18, 1861, and also the right to establish and control a ferry over said river until the said bridge is completed, which was read, and,

On motion of Mr. Moody, the petition was referred to the committee on roads, bridges, ferries and kanyons, with instructions to bring in a bill conformable with the prayer of the petition.

Mr. Johnson presented, "Petition of Mr. Levi Stewart for the location of a road from Great Salt Lake City, running west of Utah Lake, through Goshen and lower Salt Creek kanyon to Nephi city, and asking an appropriation of \$600 therefor," which was read, and,

On motion of Mr. Midgley, was referred to the committee on roads, bridges, ferries and kanyons.

Mr. Johnson presented, "Remonstrance from 83 citizens of Payson against the repeal of Payson city charter," which,

On motion of Mr. Long, was laid on the table till called up.

Mr. Long presented, "Petition of 74 citizens of Great Salt Lake county, praying for the passage of an act prohibiting the erection of fish traps, or other contrivances, in the Jordan or other rivers, and their tributaries, in this Territory," which was read, and,

On motion of Mr. Rockwood, referred to the committee on public domain and school lands, with instructions to take into consideration the propriety of bringing in a bill.

Mr. Rockwood presented, "Bill of Feramor Little for 27 day's services as director of Utah Penitentiary, at \$3 per day, amounting to \$81," which was read, and,

On motion of Mr. Long, referred to the committee on claims and appropriations.

Business in order being called up,

(H. F. No. 3) "An act to repeal certain city charters," which, on Dec. 20, 1860, was made the order of the day for this day, was taken up, and,

On motion of Mr. Long, was laid on the table till called for.

Mr. Smith presented,

(H. F. No. 10) "An act amending certain acts therein named," which was read, and,

On motion of Mr. Hatch, passed its first reading.

(H. F. No. 5) "An act repealing a portion of an act in relation to the judiciary," was taken up on its second reading, and,

On motion of Mr. Moody, was laid on the table till called up.

(H. F. No. 6) "An act repealing an act incorporating the city of Palmyra, and certain sections in several other acts of incorporations," was taken up on its second reading, and,

On motion of Mr. Long, was laid on the table for one week.

(C. F. No. 8) "An act to establish a road in Davis, Weber and Box Elder counties," was taken up on its first reading, and,

On motion of Mr. Moody, passed its first reading.
The minutes were called for, read and accepted.
On motion, the House adjourned till to-morrow at 1 p.m.
Benediction by the Chaplain.

SATURDAY, JANUARY 4, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 4, 1862, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

"SECRETARY'S OFFICE, G. S. L. City,
January 3, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The duties of the Executive devolving upon the Secretary in the absence of the Governor, and Gov. Dawson having withdrawn from the Territory, I respectfully request that all communications designed for the Executive be forwarded to me.

Respectfully,

FRANK FULLER, Secretary."

The following message was received from the House:

"REPRESENTATIVES' HALL,
Dec. 24th, 1861.

HON. DANIEL H. WELLS, President:

The House of Representatives having had under consideration that part of the Governor's message relating to the direct tax imposed upon this Territory by act of Congress, have concluded to request the Council to meet them in joint session, on a day to be named by the Council, to consider in committee of the whole the subject above referred to.

Respectfully,

JOHN TAYLOR, Speaker."

On motion of Councilor Richards, the Council agreed to the request of the House for a joint session, and that it be on Wednesday

the 8th inst., at ten o'clock a.m. The House was notified accordingly.

Councilor Harrington presented, petition from the inhabitants of Provo valley praying for a separate county organization, with boundaries as set forth, which was read, and,

On motion of Councilor Cummings, was referred to the committee on counties.

Councilor Hyde, chairman of the committee on roads, bridges, ferries and kanyons, presented the following report, which was read:

"The committee on roads, bridges, ferries and kanyons, to whom was referred the resolution appropriating two thousand five hundred dollars to improve the State Road south of this city, respectfully return the resolution recommending its passage, on the condition that the County Court of Great Salt Lake County shall appropriate an equal amount for the same purpose, who, so far as your committee has been able to confer with the members of said court, it not being in session, have signified a willingness to meet the wishes of the Council. They also present the report of the committee on public improvements of the common council of Great Salt Lake City, elicited from a consideration of the same subject before that body.

ORSON HYDE, Chairman of Committee.

G. S. L. City, Jan. 4th, 1862."

The accompanying report was also read, declining on the part of the city to appropriate any more funds for the purpose.

On motion of Councilor Spencer, the committee on appropriations was instructed to include the sum contemplated in the resolution, in the regular appropriation bill.

The following message was received from the House:

"HOUSE OF REPRESENTATIVES, Jan. 4th, 1862.

HON. D. H. WELLS, President:

The House has concurred in the time appointed to meet in joint session, as stated in your communication of this date, to wit, Wednesday the 8th inst., at ten o'clock a.m.

Respectfully,

JOHN TAYLOR, Speaker."

The minutes of yesterday and to-day were read and accepted.

On motion of Councilor Hess, the Council adjourned till Tuesday the 7th inst., at one o'clock p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,

Jan. 4th, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented, "Petition of Aaron Johnson and 231 others, citizens of Springville, praying for the repeal of their city charter," which was read, and,

On motion of Mr. Midgley, referred to the committee on incorporations, with instructions to bring in a bill.

Mr. Holbrook presented,

(H. F. No. 11) "An act attaching Miller's Island to Davis county," which was read, and,

On motion of Mr. Thompson, was referred to the committee on counties.

The business in order being called up,

(H. F. No. 8) "An act in relation to the Provo kanyon road," was taken up on its second reading, and,

On motion of Mr. Moody, was referred back to the committee on roads, bridges, ferries and kanyons, with instructions to amend or bring in a substitute.

The Speaker added Messrs. Woolley and Long to said committee, on the consideration of the Provo kanyon road bill.

A message was received from the Council, announcing their compliance with the wish of the House for a joint session, and appointing Wednesday, the 8th inst., at 10 a.m., for said joint session.

On motion of Mr. Rockwood, the House concurred in said date and hour for joint session, and the Council were notified accordingly.

(H. F. No. 9) "An act in relation to the Superintendent of Common Schools," was taken up on its second reading, and,

On motion of Mr. Thurber, the bill was referred back to the committee on education for additions thereto.

(H. F. No. 7) "An act providing for a poll tax for road purposes," was taken up on its second reading, and,

On motion of Mr. Johnson, the word "three," in Sec. 1, line 4, was stricken out, and the word "two" inserted instead.

Pending the further consideration of the first section,

Mr. Moody moved, that the bill be referred to a special committee, for further consideration and amendment. Seconded and carried.

The Speaker appointed Messrs. Woolley, Johnson and Moody said committee.

Mr. Long moved, that the committee on elections be instructed to take into consideration the propriety of bringing in a bill to change and equalize the representation of the people of the several counties in the Legislative Assembly of this Territory. Seconded and carried.

Mr. Moody moved, that the committee on judiciary be instructed to bring in a bill legalizing the transfer of all writs and judgments from one county to another. Seconded and carried.

The minutes were called for, read and accepted.

On motion of Mr. Maughan, the House adjourned till Tuesday, the 7th inst., at 1 p.m.

Benediction by the Chaplain.

TUESDAY, JANUARY 7, 1862.

COUNCIL.

COUNCIL CHAMBER, C. S. L. City, }
Jan. 7th, 1862, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented, "Petition of citizens of Washington county, praying for an appropriation of \$1,500, to be expended in improving the roads in that county, which was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on roads, bridges, ferries and canyons.

The following communication was received, and read:

EXECUTIVE DEPARTMENT, G. S. L. City,
Jan. 6th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The following are concurred in:

1. "Memorial to Congress for semi-weekly mail service from Fillmore to San Bernardino, California."

2. "Memorial to Congress for an act authorizing treaties with Indians and the extinguishment of the Indian titles."

Respectfully,

FRANK FULLER, Acting Governor.

Councilor Hyde presented the following report:

"MR. PRESIDENT:—Your committee, to whom was referred the petition of Franklin W. Young, and 76 others, citizens of Washington county, asking an appropriation of \$1,000 to construct a wagon road from St. George to Grafton, in said county; \$500, also, to alter and improve the road from Harmony to Toquerville, and thence till it intersects the contemplated road from St. George to Grafton, beg leave to report favorably; and that the committee on appropriations be instructed to embody in the Territorial appropriation bill the sum asked for, to be applied according to the terms of the petition.

ORSON HYDE, Chairman of Committee.

G. S. L. City, Jan. 7th, 1862."

On motion of Councilor Geo. A. Smith, the report was accepted, and the committee on appropriations were instructed accordingly.

The minutes were called for, read and accepted.

On motion of Councilor Richards, Council adjourned till tomorrow, at 9½ a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 7, 1861, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented, "Petition of citizens of Spanish Fork city for repeal of their city charter," which was read, and,

On motion of Mr. Long, was referred to the committee on incorporations.

Mr. Callister presented, "Petition of fifty-three citizens of Fillmore for repeal of their city charter," which was read, and,

On motion of Mr. Rockwood, was referred to the committee on incorporations.

Mr. Crosby presented, "Petition of citizens of Washington county for appropriations to work roads in said county," which was read, and,

On motion of Mr. Rockwood, was referred to committee on roads, bridges, ferries and canyons.

Mr. Midgley presented, "Petition of the citizens of Just county for a distribution of the public library," which was read, and,

On motion of Mr. Thompson, was referred to the committee on library.

Mr. Rockwood presented, bill of James A. Little, warden of the Penitentiary, for services; which was read, and,

On motion of Mr. Long, was referred to the committee on claims and appropriations.

Mr. Rockwood moved, that the committee on claims and appropriations be instructed to take into consideration the claims of Alex. McRae, ex-warden of the Penitentiary. Seconded and carried.

Bill of Theodore McKean, Esq., Territorial Road Supervisor, for \$341 50 was read, and,

On motion of Mr. Maughan, was referred to the committee on claims and appropriations.

Mr. Rockwood moved, that Feramor Little have the privilege of withdrawing his bill for services as director of the Utah Penitentiary. Seconded and carried.

Mr. Hatch presented, "Remonstrance of thirty-one citizens of Lehi city against repeal of their city charter," which was read, and,

On motion of Mr. Maughan, was referred to the committee on incorporations.

Mr. Rockwood, chairman of special committee appointed to inquire into the reasons that induced His Excellency Gov. Dawson to leave the Territory during the session of the Legislative Assembly, reported that they had applied to the Hon. Secretary for such information as he might have in his possession, and had received the following communication:

"EXECUTIVE DEPARTMENT, Utah,
G. S. L. City, Jan. 4, 1862.

GENTLEMEN:—In answer to your letter of inquiry concerning the cause of Gov. Dawson's early withdrawal from the Territory, I present the following extract from a note received by me from that gentleman on the day of his departure:

'My health is such that my return to Indiana for the time being is imperatively demanded: hence, I start this day.'

Gov. Dawson announced to me on the day of his arrival, his intention to return to Indiana at the close of the Legislative session, but I am not aware that any reason was assigned by him for his departure at an earlier day, other than the one above given.

Respectfully,

FRANK FULLER,
Secretary and Acting Governor."

Mr. Farr, presented report of number and kind of officers to be elected by joint vote of the Legislative Assembly.

On motion of Mr. Rockwood, the report was received and laid on the table until joint session for election of said officers.

Mr. Thurber, chairman of committee on education, to whom was referred, (H. F. No. 9) "An act in relation to superintendents of common schools," reported back the bill, with additional sections, and recommended its passage.

Said bill was read as amended, and,

On motion of Mr. Woolley, was laid on the table to come up in its order.

Mr. Rockwood, chairman of special committee, to whom was referred (H. F. No. 4) "An act further defining the duties of stray-pound keepers, and for other purposes," submitted a substitute, and recommended its passage.

Said substitute, (H. F. No. 12) "An act for the establishing and regulating estray pounds, and for other purposes," was read, and,

On motion of Mr. Woolley, the report was accepted, the bill received, and fifty copies thereof ordered to be printed for the use of the Legislative Assembly.

The business in order being called up,

(H. F. No. 2) "An act in relation to attachments and garnishments," was taken up on its third reading, and,

On motion of Mr. Rhoads, passed its third reading.

The bill was read by its title, and so passed.

(C. F. No. 10) "An act to amend an act to incorporate Great Salt Lake City, approved Jan. 20, 1860," was taken up on its third reading, and,

On motion of Mr. Maughan, passed its third reading.

The bill was read by its title, and so passed.

(H. F. No. 10) "An act amending certain acts therein named," was taken up on its second reading, and,

On motion of Mr. Woolley, passed its second reading.

On motion of Mr. Moody, the bill passed its third reading by its title.

(C. F. No. 8) "An act to establish a road in Davis, Weber and Box Elder counties," was taken up on its second reading, and,

On motion of Mr. Johnson, passed its second reading.

On motion of Mr. Maughan, the bill passed its third reading by its title.

(H. F. No. 9) "An act in relation to the superintendents of common schools," was taken up on its second reading, and,

On motions, the first section was amended by striking out the words "on or before the second" in the 9th line of said section, and by substituting the words "during the first" instead thereof, also,

by striking out the words "any laws to the contrary, notwithstanding," at the end of the section.

On motion of Mr. Long, Sec. 4 was added to the bill, and the bill passed its second reading.

On motion of Mr. Thompson, (H. F. No. 3) "An act to repeal certain city charters," etc., "was referred back to the committee on incorporations.

The minutes were called for, read, and accepted.

On motion of Mr. Hatch, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

—o—

WEDNESDAY, JANUARY 8, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 8, 1862, 9½ o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The Sergeant-at-Arms having reported that the House of Representatives were ready to receive the Council in joint session, the Council adjourned accordingly.

The members of the Council having returned to their chamber, the following communication in relation to the public arms was received and read:

"GREAT SALT LAKE CITY, U.T.,
Jan. 7, 1862.

TO THE HON. LEGISLATIVE ASSEMBLY OF THE

TERRITORY OF UTAH:

GENTLEMEN:—In pursuance of a 'Resolution in relation to the quota of public arms due Utah Territory,' approved January 18, 1861, I forwarded the following communication to the Ordnance Department of the United States army in Washington city:

[COPY.]

'GREAT SALT LAKE CITY, Utah Territory,
Feb. 21, 1861.

COL. H. K. CRAIG, Ordnance Office, U.S.A.,
Washington City:

SIR:—Herewith inclosed please find certified copy of 'Resolution concerning quota of public arms due Utah Territory from the United States,' which passed the Legislature of this Territory during the last session, and was approved by the Governor, Jan. 18, 1861, who had previously called the attention of the Legislature to the subject in his annual message, dated Nov. 12, 1860, in the following words:

'This Territory has never received her quota of arms from the United States. H. K. Craig, Colonel of Ordnance, has addressed to me several communications on this subject. On the 11th January, 1860, he advised me that there were then due to Utah, 2,775 muskets, together with accoutrements, etc., which, by existing regulations would be delivered at any place in the Territory situated upon navigable waters, or otherwise easily accessible, to be designated by the Governor or other authorized officer of the Territory. The United States cannot, however, incur any extraordinary expenses for the transporting the arms into the interior by land. I herewith annex a statement of the cost of small arms, field artillery, and their equivalent in muskets.'

The Legislature referred the subject to its appropriate committee, the chairman of whom waited upon me, soliciting an opinion in relation to the kind of arms which should be furnished Utah for her quota from the United States, which I gave as follows:

'GREAT SALT LAKE CITY, U.T.,
Jan. 15, 1861.

HON. H. B. CLAWSON:

SIR:—In answer to your request in behalf of the committee on militia of the House of Representatives, for an expression in relation to the kind of arms most proper to receive from the Ordnance Department of the United States, for the quota of arms due to this Territory, I consider it most expedient for the Territory, in point of land transportation from the frontiers, as well as useful to the militia, to take the whole quota of arms now due to the Territory, in Colt's patent revolving breech pistols, of the size commonly known here as navy size or belt pistol, the revolving breech having six chambers.

The 2,775 muskets referred to in the message of His Excellency Gov. Cumming, when commuted at the rate specified in the state-

ment of the cost of small arms, etc., at their equivalent in muskets, will give 2,004 of the aforesaid pistols and appendages, which when packed will weigh about three and a quarter tons; the said muskets and accoutrements would weigh about sixteen tons; a large difference to be freighted across the plains at the expense of the Territory.

I therefore recommend that the Legislature request the Governor to call for the whole quota of arms due the Territory up to the present year to be delivered in the aforesaid kind of pistol at Florence, Nebraska Territory, as a convenient point for the Territory to receive them. Respectfully,

T. W. ELLERBECK,
Col. Ordnance Militia, U. T.'

Based upon the foregoing communication, the Legislature made the necessary appropriation to cover the cost of their transportation from the Missouri river to this city.

I have authorized and requested the Hon. W. H. Hooper, delegate to Congress from this Territory, to make arrangements for the safe storing of the said arms at Florence, until the teams are ready to return with them, arrangements for which are already completed.

I know of no reason to change my opinion in regard to the kind of arms needed for this Territory, and the Legislature having made the appropriation in view of the kind of arms recommended in my communication to the military committee, I could not consent to receive any other variety of arm.

Respectfully,

T. W. ELLERBECK,
Col. Ordnance Militia, U. T.'

To the foregoing I received the following reply:

"ORDNANCE OFFICE, Washington,
March 20, 1861.

COL. T. W. ELLERBECK, Militia, Utah Territory,
Great Salt Lake City:

SIR:—I have to acknowledge, through the Hon. W. H. Hooper, the receipt of your letter of the 21st ult., with its inclosures, and in answer to state, that agreeably to the regulation of the President of the United States, made in conformity of the law of Congress, approved March 3d, 1855, for the distribution of arms to the Territories, each Territory which had not received prior to the passage of the above law, an equivalent to two thousand muskets, was to be furnished with an additional number, so as to make the supply to each Territory not less than that number, issuable in muskets only.

Accordingly, as the Territory of Utah stood credited, prior to the passage of the law, with sixty-six muskets, it became entitled to 1,934 muskets, to be furnished in muskets only, as stated in my letter to the Governor, of the 11th Jan., 1860, and referred to by you.

I fully advised the Governor of the President's regulation in my letter to him of June 2d, 1855.

There are also due to the Territory for the present year, 137 muskets, of which the Governor was informed by my letter to him of the 10th Jan. last, making in all now due to the Territory, 2,912 10-13ths muskets, of which, as heretofore stated, 1,934 can only be issued in muskets, and the remaining 978 10-13s in such other arms as designated in the accompanying printed statement, with the exception of Golt's arms and Sharp's carbines, of which there are none on hand, and no means to provide them.

Upon your indicating to me your desire to receive the arms as herein stated, they will be forwarded to the place designated by you.

Respectfully, your obedient servant,
(Signed) H. K. CRAIG, Col. of Ordnance.

No further correspondence was had on the subject.

In this connection, I regret to say, that the United States' forces, on their departure from this Territory, in July last, destroyed by fire large quantities of fire-arms belonging to the United States, which could have been advantageously delivered to the Territory, without expense of transportation. The commander of the Department informed citizens that he destroyed them, together with the ammunition, by orders from Washington.

Very respectfully,
T. W. ELLERBECK,
Col. Ordnance, Militia, U. T."

On motion of Councilor Smith, the communication was ordered to be spread on the journal.

Councilor Smith presented, (C. F. 11) "Memorial to Congress for a donation of land to cities, towns and villages, etc., and for the aid of common schools," which was read, and,

On motion of Councilor Richards, was adopted, and ordered to be sent to the House for concurrence.

The minutes were called for, read and accepted.

On motion of Councilor Hyde, the Council adjourned till tomorrow, at 1 o'clock p.m.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 8th, 1862, 10 a.m.

Pursuant to agreement of the 3d inst., the Assembly met in joint session,

The President of the Council presiding, called the Assembly to order.

The Secretary of the Council called the roll of the Council; quorum present.

The Chief Clerk of the House called the roll of the House; quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session open, and ready for business.

Councilor Smith moved, that the Assembly go into committee of the whole, to consider the direct tax. Councilor Harrington in the chair. Seconded and carried.

In committee of the whole, with Councilor Harrington in the chair, the question of the direct tax was taken up.

After discussion,

On motion of Councilor Smith, the committee arose, and the Assembly resumed its joint session.

Councilor Harrington, in behalf of the committee of the whole, reported that the committee had come to no decision on the subject of the direct tax.

Minutes read and accepted.

On motion of Councilor Richards, the joint session dissolved.

H O U S E .

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 8, 1862, 10 a.m.

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The House went into joint session.

(See Joint Session minutes.)

On joint session dissolving, the House resumed its session.

Mr. West presented, "Petition of 51 citizens of Weber and Box Elder counties for an appropriation for improving the road up Weber kanyon," which was read, and,

On motion of Mr. Long, was referred to the committee on roads, bridges, ferries and kanyons.

The minutes were called for, read and accepted.

On motion of Mr. West, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 9, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City., }
Jan. 9th, 1862, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"HOUSE OF REPRESENTATIVES, G. S. L. City,
7th Jan., 1862.

HON. D. H. WELLS, PRESIDENT:

The House has this day passed the accompanying bills (H. F. No. 2) 'An act in relation to attachments and garnishments,' and (H. F. No. 10) 'An act amending certain acts therein named,' which are respectfully submitted for your action thereon.

The House has also this day passed your bills (C. F. No. 8) 'An act to establish a road in Davis, Weber and Box Elder counties,' and (C. F. No. 10) 'An act to amend an act to incorporate Great Salt Lake City, approved Jan. 20, 1860,' which are herewith respectfully returned to be engrossed.

Respectfully,

JOHN TAYLOR, Speaker."

(H. F. No. 2) "An act in relation to attachments and garnishments," was taken up, and read, and,

On motion of Councilor Smith, the bill was passed to its second reading to lie over till to-morrow.

Councilor Smith presented, "Memorial to Congress for a daily mail," which was read, and,

On motion of Councilor Richards, the memorial was adopted, and ordered to be sent to the House of Representatives for concurrence.

Councilor Cummings presented "Petition of Territorial Surveyor, J. W. Fox, praying for an appropriation of \$100 for desk and paper for use in his office," which was read, and,

On motion of Councilor Woodruff, the committee on appropriations were instructed to incorporate the necessary sum in the regular Territorial appropriation bill.

(H. F. No. 10) "An act amending certain acts therein named," was taken up on its first reading, read, and,

On motion of Councilor Cummings, was referred to the committee on incorporations to report thereon on Saturday next.

On motion of Councilor Woodruff, Councilor Geo. A. Smith was requested to bring in the compilation act which did not receive the approval of the Executive last session.

The minutes were called for, read and accepted.

On motion of Councilor Richards, Council adjourned till to-morrow at 1 o'clock p.m.

Benediction by the Chaplain.

—o—

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 9, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received and read:

"COUNCIL CHAMBER, Jan. 8, 1862.

HON. JOHN TAYLOR, Speaker:

The inclosed report, from the Colonel of ordnance of the Territory, in relation to the quota of public arms due from the United States, having been read before the Council and ordered to be placed upon their journal, is now respectfully forwarded for the information of the House.

Respectfully,

DANIEL H. WELLS, President.

T. W. Ellerbeck, Sec'y."

Another message was also received from the Council, and read, inclosing "Memorial to Congress for a donation of land to cities, towns and villages, and for the aid of common schools," which had been adopted by the Council, and was respectfully submitted for the concurrence of the House.

Said memorial was read, and,

On motion of Mr. Long, was concurred in.

Mr. Maughan presented, "Petition of 25 citizens of Paradise, Cache valley, praying for boundaries to be changed, so as to include them in Cache county instead of Box Elder county," which was read, and,

On motion of Mr. Stout, was referred to the committee on counties.

Mr. Thompson presented, "Petition of 58 citizens of Beaver, asking an appropriation of \$350 to aid that county in improving the State road in said county," which was read, and,

On motion Mr. Long, referred to the committee on roads, bridges, ferries and kanyons.

The chairman of committee on roads, bridges, ferries and kanyons, to whom was referred the "Petition of Levi Stewart and others for a road from Great Salt Lake city to Nephi," reported unfavorable to any action thereon.

On motion of Mr. Stout, the report was accepted and the petition referred to a special committee.

The Speaker appointed Messrs. Johnson, Smith and Rockwood said committee.

The chairman of committee on roads, bridges, ferries and kanyons, to whom was referred the "Petition of Lewis Robison and Joshua Terry," reported the accompanying act, (H. F. No. 13) "An act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," which was read, and,

On motion of Mr. Moody, the report was received, and the bill laid on the table to come up in its order.

Mr. Smith, chairman of committee on counties, to whom was referred, (H. F. No. 50, unfinished business of last session) entitled, "An act defining the boundaries of counties," reported the same back with amendments, and recommended its passage.

Said bill was read as amended, and,

On motion of Mr. Stout, the report was accepted, and the bill laid on the table to come up in its order.

Mr. Stout moved, that the special committee, to whom was referred (H. F. No. 7) "An act providing for a poll tax for road purposes," report the bill back for the action of the House. Seconded and carried.

Said bill, by consent of the House, was taken up on its second reading.

On motion, the words "with security to be approved by the County Court, payable to the people of their respective counties for," were inserted in Sec. 2, line 1, after the words "give bonds," and the word "in" in said section, and line after the said words "give bonds" was stricken out; also, the words "which bonds shall be filed in the office of the clerk of the County Court," were inserted after the words "of this act" in Sec. 2, line 2.

On motion, the words "subject to the approval of the County Court," at the end of Sec. 4, were stricken out.

On motion of Mr. Long, the bill passed its third reading.

The bill was read by its title, and so passed.

A message was received from the Council, and read, inclosing "Memorial to Congress for daily mail," announcing its adoption, and soliciting the concurrence of the House.

Said memorial was read, and,

On motion of Mr. Long, the House concurred in the adoption thereof.

(H. F. No. 9) "An act in relation to the superintendents of common schools," was taken up on its third reading, and,

On motion of Mr. Thurber, passed its third reading.

Said bill was read by its title, and so passed.

The following report was received and read:

"COMMITTEE ROOM, JAN. 9, 1862.

HON. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the claim of Daniel Carn, for services as warden of the Utah Penitentiary, beg leave to report that they have duly examined into said claim, and find that there has been no settlement with Daniel Carn for his services for the five years ending in 1859, that he filled the office of Warden of the Penitentiary; therefore your committee have deemed it proper to examine into his claim for the entire term of service and find that there is

Due Daniel Carn for five years' services as Warden of

Utah Penitentiary, viz., 1855 6-7-8-9, at the rate of -

\$1000 per annum - - - - - \$5,000 00

Daniel Carn has received at sundry times as follows:

An appropriation for 1855 6 - - - \$600 00

Part of appropriation of \$800 for 1856-7;

balance of said appropriation paid by the

Warden to Bliss, \$459 80, and to

Willis, \$15 for guard service - - -

An appropriation for 1858-9	1,000 00
Amount received from auditor public accounts, issued by him on draft, drawn by directors	405 85
Received from the U. S. Marshal, J. L. Heywood and others, for board of U. S. convicts in Utah Penitentiary, as per Penitentiary books, May, 1856	516 00
Penitentiary wood used by Warden for five years, at \$100 per year	500 00
Total debit	\$3,547 85

Leaving a balance due Daniel Carn of \$1,652 15, which your committee respectfully recommend be included in the Territorial Appropriation Bill.

H. B. CLAWSON,
Chairman Committee on Claims."

On motion of Mr. West, the report was accepted, and the committee on claims and appropriations instructed to incorporate the same in the Territorial Appropriation Bill.

The following report was received and read:

"COMMITTEE ROOM, Jan. 9, 1862.

HON. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee instructed to take into consideration the claim of Alex. McRae, for services as Warden of Utah Penitentiary, beg leave to report that they have examined the papers having reference to said claim and find that there is

Due Alex. McRae, for services as Warden of Utah Penitentiary for one year ending Jan., 1861 - - - \$1,000 00

Alex. McRae has received on account of his services as Warden a draft on auditor of public accounts, drawn by directors, Feb., 1860 - - - \$520 86

Received of P. K. Dotson, U. S. Marshal, for board of U. S. convict during 1860-61 153 00

Penitentiary wood used by Warden, as per estimate by directors, Jan. 6, 1861 - 150 00

Total debit - - - \$823 86

Leaving a balance due Alex. McRae for services as Warden the sum of \$176 14, and your committee respectfully recommend that the same be included in the Territorial Appropriation Bill.

H. B. CLAWSON,
Chairman of Committee on Claims."

On motion of Mr. Long, the report was accepted, and the committee on claims and appropriations instructed to incorporate the same in the Territorial appropriation bill.

The minutes were called for, read and accepted.

On motion of Mr. Hatch, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 10, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Jan. 10th, 1862, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

“REPRESENTATIVES’ HALL, 9th Jan., 1862.

HON. D. H. WELLS, President:

SIR:—The House of Representatives has this day concurred in your ‘Memorial to Congress for a donation of land to cities, towns and villages, and for the aid of common schools,’ and also your ‘Memorial to Congress for daily mail,’ which are herewith returned to be engrossed.

The House has also this day passed the accompanying bills (H. F. No. 9) ‘An act in relation to the Superintendent of Common Schools,’ and (H. F. No. 7) ‘An act providing for a poll tax for road purposes,’ which are herewith submitted for your action thereon.

Respectfully,

JOHN TAYLOR, Speaker.”

Councilor Carrington presented the following report, which was read:

“COUNCIL ROOM, Jan. 10th, 1862.

TO THE PRESIDENT AND COUNCIL:

GENTLEMEN:—The special joint committee, who were appointed and instructed to examine the redeemed auditor’s warrants in the

hands of the Territorial Treasurer, Mr. David O. Calder, compare them with his books and annual reports, and make such disposition of them as their judgment might dictate, respectfully report that they have made examination as aforesaid, for the fiscal years 1859, 1860 and 1861, ending on the 31st of October in each year, and found the vouchers and reports agreeing, the Treasurer's accounts faithfully kept, and the signatures on the redeemed warrants defaced, whereupon your committee destroyed all of said warrants for the years 1859-60-61, and respectfully recommend that the same or a like committee be authorized and instructed to take a like course with all the auditor's warrants redeemed previous to 1859.

A. CARRINGTON, Chairman of Committee."

On motion of Councilor Richards, the report was accepted, and the same joint committee were instructed in accordance with the recommendation in their report, to audit and destroy the vouchers in the Territorial Treasurer's office, of a date prior to 1859, and the concurrence of the House of Representatives requested.

Councilor Geo. A. Smith presented,

(C. F. No. 13) "An act in relation to the compilation and revision of the laws and resolutions now in force in Utah Territory, and embodying certain amendments," which was received, and,

On motion of Councilor Woodruff, was laid on the table to come up in its order.

The following message was received from the House:

"REPRESENTATIVES' HALL, Jan. 10th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The Council is requested by the House of Representatives to meet them in joint session at your earliest convenience (the time to be designated by the Council) for the purpose of electing the officers made elective by the joint vote of this Legislative Assembly.

Very respectfully,

JOHN TAYLOR, Speaker."

On motion of Councilor Benson, the Council agreed to meet the House in joint session for that purpose on Tuesday next at 1 p.m.

Councilor Carrington presented, accounts of John T. Caine, of \$114 for recording minutes of Council and other extra labor, for 9th and 10th annual session, which were read, and,

On motion of Councilor Carrington, were referred to the committee on appropriations with instructions to incorporate the same in the Territorial Appropriation Bill.

Councilor Smith presented,

(C. F. No. 14) "Memorial for a national central railroad," which was read, and,

[Jan. 10:

On motion of Councilor Harrington, was adopted, and ordered to be sent to the House for concurrence.

The following communication was received, and read:

“EXECUTIVE OFFICE, G. S. L. City,
Jan. 10th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—“An act to establish a road in Davis, Weber and Box Elder counties,” and “An act to amend “an act to incorporate Great Salt Lake City, approved Jan. 20, 1860,”” received on the 9th inst. from your honorable body, has this day been approved.

Respectfully,

FRANK FULLER, Acting Governor.”

(H. F. No. 2) “An act in relation to attachments and garnishments,” was taken up on its second reading.

On motion of Councilor Carrington, the words “not exceeding the sum specified in the bond” were stricken out of 5th line, in 4th section.

On motion of Councilor Carrington, the words “equal to double” were stricken out, and the words “not less than nor exceeding treble” inserted in lieu thereof, in the 3d line of 4th section.

On motion of Councilor Smith, the words “provided that no bond shall be taken for a sum less than one hundred dollars,” were inserted next after the word “claimed” in 3d line of 4th section.

On motion of Councilor Carrington, the 7th section was amended by striking out the words “by taking” in the 1st line, and the word “giving” in the 2d line, and inserting the words “and take” and “give” respectively in lieu thereof.

On motion of Councilor Spencer, the 8th section was amended by inserting the word “forthwith” next after the word “and” in the 2d line.

On motion of Councilor Carrington, the words “and credits of” were stricken out of the 9th section, and the word “due” inserted in lieu thereof.

The 10th section being under consideration,

On motion of Councilor Smith, the bill was referred to a special committee composed of Councilors Carrington and Cummings.

The following messages were received from the House:

“REPRESENTATIVES’ HALL, Jan. 10th, 1862.

HON. D. H. WELLS, President:

SIR:—I have the honor to inform you that the House of Representatives have, by their unanimous vote, expressed satisfaction with the labors of the special committee appointed to examine the

vouchers of the Territorial Treasurer, etc. The House have further instructed their same committee to act in conjunction with the Council committee to audit and destroy the vouchers of said Treasurer of a date prior to 1859, in accordance with your request.

Respectfully,

JOHN TAYLOR, Speaker."

"REPRESENTATIVES' HALL, January 10, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The House of Representatives have concurred in your 'Memorial for a national central railroad,' and the same is hereby respectfully returned for further disposition by the Council.

Respectfully,

JOHN TAYLOR, Speaker."

(H. F. No. 7) "An act providing for a poll tax for road purposes," was taken up, read, and,

On motion of Councilor Smith, the bill was referred to the committee on roads, etc.

(H. F. No. 9) "An act in relation to the Superintendent of Common Schools" was read, and,

On motion of Councilor Richards, the bill was referred to the committee on education.

The minutes were called for, read and accepted.

On motion of Councilor Benson, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 10th, 1862, 1 p. m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long presented, "Petition of John Jaques and 299 others, citizens of Great Salt Lake county, for removal of a certain fish trap," which was read, and,

On motion of Mr. West, referred to the committee on public domain and school lands.

Mr. Stout moved, that the Council be requested to meet the

House in joint session at their earliest convenience—the time to be designated by them—for the purpose of electing the officers made elective by the joint vote of this Legislative Assembly. Seconded and carried.

The chairman of committee on roads, bridges, ferries and kanyons, to whom was referred the "Petition of 51 citizens of Weber and Box Elder counties, asking for an appropriation to be expended in Weber kanyon," recommended that the sum of \$2,000 be appropriated to improve said Weber kanyon road.

On motion of Mr. Stout, the recommendation was adopted, and the committee on claims and appropriations instructed to incorporate the same in the Territorial appropriation bill.

The following report was received and read:

"COMMITTEE ROOM, Jan. 8th, 1862.

MR. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on Penitentiary, to whom was referred the report of the board of directors of the Penitentiary, have examined the books belonging to the institution, and compared them with the report, and inquired of the directors and other officers connected with the Penitentiary, and submit the following as the result of our labors:

We find the bills receivable, for work of convicts as reported in the annual report of 1860, yet unpaid, no reasons assigned by the directors for non-payment. The \$48 worth of baskets reported in said report, are by the directors reported to be in the hands of commission merchants, if sold, are unaccounted for; they hold the Warden accountable for them.

The directors reported to us under date of Dec. 23d,	
that there was on hand at the time of the annual	
report of 1860, tools, bedding, office furniture and	
other loose property, amounting to	\$250 00
And that the amount on hand at the time of the last	
report, was about	\$924 00

This amount includes supplies.

From this report we learn that the convicts have	
labored outside of the Penitentiary two hundred	
and fifty days, at farming, at 50 cents per day,	
amounting to	\$125 00
Also, labor of Riley Green, amounting to	50 00

Total	\$175 00
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Which is charged in account to James A. Little.

The total number of day's labor performed by the convicts is

three hundred days out of twelve hundred and eighteen working days, which shows that they have been idle nine hundred and eighteen days, as no labor was done except the three hundred referred to.

We learn by an informal communication in answer to our communication, to the directors, of Dec. 27th, that a quantity of molasses was furnished by James A. Little, and is now on hand at \$2 50 per gallon, amounting to between ninety and one hundred dollars. We have not this communication before us, as Mr. Little, the chairman of the board of directors, withdrew, or took possession of it on the 7th instant, under protest; he also declined to give us the required information on some points.

We find in the book labeled 'Utah Ledger,' belonging to the Penitentiary, that James A. Little is credited with forty-nine week's board of convicts, at four dollars per week, amounting to one hundred and ninety-six dollars. In our communication, under date of the 6th inst., we asked the directors, among many others, the following question: Did you contract with James A. Little to board the convicts at four dollars per week? This question was verbally answered on the 7th, before the committee, in the negative, but that they sanctioned it after it was done.

The annual report of the directors shows the expense

of the institution for the last year to be	\$4,265 11
To this sum should be added the claim of the Warden	219 00
Also, an amount due Christopher Layton for arrest of prisoner	100 00

Total amount	\$4,584 11
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From this sum should be deducted the excess of the amount of supplies now on hand over and above what there were at the time of making the report for the year 1860, the precise amount of which we have not been able to ascertain.

The informal report shows a quantity of beef, and perhaps some other supplies, which are not shown in their communication to us, neither in the books exhibited to us. We have called for all the books pertaining to the institution, but have not been able to obtain but two; the others, not less than three in number, have been withheld.

The supplies furnished, as shown by the report

amounts to	\$875 00
Board bill of J. A. Little	196 00

Amounting in the aggregate to	\$1,071 53
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We find that during Mr. Carn's administration as Warden that

there were allowed to each convict daily, the following rations, to wit:

1½ pounds flour	.09
½ pound meat	.05
Salt, vinegar, etc.	.03
Amounting to	.17

The convicts were required to cook for themselves. Had the same amount of rations been served out to the convicts the past year, the supplies would have cost only \$241 40, and thereby several hundred dollars would have been saved to the Territory.

In consequence of not having our second communication answered, and the withdrawal of the informal communication, together with the evasion in answering our questions, we are not able to report the amount of supplies on hand over and above what was stated in the last annual report, neither can we arrive at the precise amount on hand at the present time.

Respectfully submitted by your committee,

A. P. ROCKWOOD, -Chairman."

On motion of Mr. Stout, the report was received, and laid on the table till called for.

The following report was received and read:

"COMMITTEE ROOM, G. S. L. City,
Jan. 9th, 1862.

MR. SPEAKER:

Your committee on Penitentiary, pursuant to your instructions, have examined the books of the institution from the commencement, February 21st, 1856, to Dec., 1861, we find that the United States convicts have been convicted from time to time under the provisions of the United States laws, which provide that said convicts may be committed to any State prison or Penitentiary in any State or Territory; we find by the provisions of another act that the cost accruing upon the execution of such sentences shall be paid by the United States; we find that the several Wardens have received from the several United States marshals, for expences accruing on said convicts, the sum of \$3,325 65; we find that their is yet due, as shown on the books, \$5,048 50, most of which has been due about four years.

We find by the report of the directors, made to us and otherwise, that the Penitentiary is insecure, in consequence of which many convicts, both the United States and Territorial, escape from time to time. We find that the average number of convicts for the past year has been a little fraction less than four; total cost of which is

\$4,584.11, a fraction less than \$3 23 per day on each convict, and for other years it has been in corresponding ratio. We, in our opinion, believe that the institution does not accomplish the desired end of reclaiming or reforming the convicts; in consequence of the want of the application of proper labor, and by force of circumstances are kept in idleness; therefore, the sentence of the courts is not carried out.

We are of the opinion that the laws spread upon the statutes previous to the adoption of the present Penitentiary system, are amply sufficient and better adapted for the punishment of convicts than the present system; therefore, we recommend the adoption of the accompanying bill.

A. P. Rockwood, Chairman.

Said bill (H. F. No. 15) "An act repealing the several acts in relation to the Penitentiary, and for other purposes," was read, and,

On motion of Mr. Stout, the report was received, and the bill laid on the table to come up in its order.

Mr. Rockwood presented, "Bill of H. S. Beattie for \$200, for services as clerk for Penitentiary Warden and Directors," which was read, and,

On motion of Mr. Long, was referred to the committee on Penitentiary.

The following was received and read:

"COUNCIL CHAMBER, Jan. 10, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The Council has agreed to meet you in joint session on Tuesday next, at 1 p.m., for the purpose of electing the Territorial elective officers.

Respectfully,

DANIEL H. WELLS, President.

T. W. Ellerbeck, Sec'y."

Another message was received from the Council and read, announcing the adoption of "Memorial to Congress for a national central railroad."

Said memorial was read, and,

On motion of Mr. Rowberry, the House concurred in the adoption thereof.

The following was also received and read:

"COUNCIL CHAMBER, Jan. 10, 1862. *

HON. JOHN TAYLOR, Speaker:

The special joint committee appointed to examine the vouchers

of the Territorial Treasurer, have presented the accompanying report, which has been received by the Council, and is now respectfully forwarded to your honorable body.

The same joint committee are instructed, on the part of the Council, to audit and destroy the redeemed vouchers of said treasurer of a date prior to 1859, and the concurrence of the House is solicited in the further instructions to the committee.

Respectfully,

DANIEL H. WELLS, President.

T. W. Ellerbeck, Sec'y."

Said report of the joint committee was also read, and,

On motion of Mr. Maughan, the House accepted the report of the joint committee, and concurred with the Council in their further instructions to said committee.

Mr. Hatch, chairman of committee on library, to whom was referred the "Petition of 29 inhabitants of Juab county, praying for the distribution of the public library," reported adversely thereon, considering Legislative action upon the subject impolitic, if not contrary to the provisions of Sec. 14 of the organic act.

On motion of Mr. Long, the report was accepted, and the committee discharged from further duties on that subject.

(H. F. No. 6) "An act repealing an act incorporating the city of Palmyra, and certain sections in several other acts of incorporation," was taken up on its second reading, and,

On motion of Mr. Stout, was amended.

On motion of Mr. West, the bill passed its second reading.

On motion of Mr. Stout, the bill passed its third reading.

The bill was read by its title, and amended, so as to read "An act repealing an act incorporating the city of Palmyra, and certain sections of other acts herein named."

Mr. Eldredge, chairman of committee on public domain and school lands, to whom was referred three Petitions with regard to fish traps, fisheries, etc., reported the accompanying bill:

(H. F. No. 16) "An act in relation to fish traps and fisheries," which was read, and,

On motion of Mr. Long, the report of the committee was accepted, and the bill laid on the table to come up in its order.

(H. F. No. 13) "An act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," was taken up on its first reading, and,

On motion of Mr. Callister, passed its first reading.

(H. F. No. 14) "An act defining the boundaries of counties," was taken up and read, and,

On motion of Mr. Rowberry, passed its first reading.
Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," was taken up on its second reading, and,

On motion of Mr. Long, the bill passed its second reading.

On motion of Mr. Long, the bill passed its third reading.

Said bill was read by its title, and so passed.

The minutes were called for, read and accepted.

On motion of Mr. Hatch, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

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SATURDAY, JANUARY 11, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 11, 1862, 1 o'clock p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff presented, Petition signed by A. H. Raleigh, and 38 others, praying for chartered rights under the name of the Jordan Irrigation Company, which was read, and,

On motion of Councilor Cummings, was referred to the committee on incorporations.

A communication from E. W. East, in relation to fees, was received and read.

On motion of Councilor Woodruff, the subject was referred to the committee on judiciary, with instructions to examine into the necessity of an alteration of the fee bill.

Councilor Richards presented the following report:

"Your committee, to whom was referred, the 'Petition of 208 citizens of Provo valley to organize the tract of country therein described into a county,' respectfully report the accompanying bill, entitled, 'An act to organize Wasatch county.'"

On motion of Councilor Geo. A. Smith, the subject of the bill was referred back to the committee on counties, to be incorporated in a general bill to be presented, fixing county lines.

The following communication was received from the House:

“REPRESENTATIVES’ HALL, Jan. 10th, 1862.

HON. DANIEL H. WELLS, President.

SIR:—The House of Representatives have this day passed the accompanying bills, viz.: (H. F. No. 6) ‘An act repealing an act incorporating the city of Palmyra, and certain sections of other acts herein named,’ and (H. F. No. 13) ‘An act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861,’ which are respectfully submitted for your legislative action thereon.

Respectfully,

JOHN TAYLOR, Speaker.”

(H. F. No. 6) “An act repealing an act incorporating the city of Palmyra and certain sections of other acts therein named,” was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on incorporations.

(H. F. No. 13) “An act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861,” was read, and,

On motion of Councilor Woodruff, the bill was concurred in, and ordered to be so returned to the House.

Councilor Carrington presented the following report:

“GREAT SALT LAKE CITY, Jan. 11, 1862.

TO THE HON. THE PRESIDENT AND COUNCIL:

GENTLEMEN:—Your select committee, to whom was referred ‘An act in relation to attachments and garnishments,’ herewith return said Act, with amendments, and respectfully recommend its passage as amended.

A. CARRINGTON, Chairman of Committee.”

The bill was taken up on its second reading, passed as amended, and,

On motion of Councilor Woodruff, the bill was read the third time, by its title, so passed, and returned to the House for concurrence in the amendments.

Councilor Cummings presented the following report:

“The committee on incorporations, to whom was referred the accompanying bill (H. F. No. 10) ‘An act amending certain acts therein named,’ respectfully report back the bill amended, by adding Sec. 7 thereto, and would recommend its passage.

Respectfully,

J. W. CUMMINGS,

In behalf of Committee on Incorporations.”

The bill was read as amended, and,

On motion of Councilor Smith, the amendment was sustained, and,

On motion of Councilor Carrington, the bill was referred to a special committee of Councilor Geo. A. Smith, with instructions to incorporate the same into the compilation act (C. F. No. 13), which was taken up, and referred for that purpose to said committee, who was also instructed to incorporate in said Act the laws of last session, to report as early as convenient, and to employ the necessary clerk hire for that purpose.

Accounts were presented of W. I. Appleby, for services rendered the Territory as clerk of Supreme Court, amounting to \$31 60, which was read, and,

On motion of Councilor Woodruff, was referred to the committee on claims, with instructions to ascertain whether the Territory is liable for those services.

Councilor Harrington presented the following report:

"The committee on roads, bridges, ferries and kanyons, to whom was referred, 'An act providing for a poll tax for road purposes,' return the same with an amendment in the 2d line of the 2d Section, by substituting the word 'two' for the word 'three,' and recommend its passage as amended.

L. E. HARRINGTON.

The bill was read as amended, and passed to its second reading.

Sec. 1 was amended by inserting the word "sixteen" in lieu of "eighteen" in 5th line, and,

On motion of Councilor Carrington, the words "able bodied" were added next after the word "every" in 4th line of 1st section.

On motion of Councilor Hess, the words "or city street" were inserted next after the word "road" in 6th line of 1st Section.

On motion of Councilor Carrington, the word "two" was stricken out, and the words "one and a half" inserted in lieu thereof in 1st Section, 4th line.

Sec. 2 being under consideration,

On motion of Councilor Smith, the bill was referred to the committee on roads, with instructions.

The minutes were called for, read and accepted.

On motion of Councilor Spencer, the Council adjourned till Monday at 11 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 11, 1862, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report was received and read:

"COMMITTEE ROOM, Jan. 11th, 1862.

MR. SPEAKER AND MEMBERS OF THE HOUSE:

GENTLEMEN:—Your committee on Penitentiary have the pleasure to announce that we had an interview, yesterday afternoon, with ex-Warden Carn, and that he informed us that a part of the claims referred to in our report No. 2 of yesterday, against the United States for expenses incurred on the United States' convicts, are in successful progress of collection, and about \$1,920 is or will be subject to his order in a few days, as the claims were forwarded in his name.

And whereas, he has laid out of his dues for services as Warden a number of years, he respectfully asks that he may be permitted to retain so much of such funds as will cancel the acknowledged claims of his against the Territory for services as Warden and for supplies.

Mr. Carn manifests his willingness to pay over to the proper officer any and all monies that may be collected in his name from the United States, accruing on the United States convicts during his Wardenship.

Respectfully submitted by your committee.

A. P. ROCKWOOD, Chairman."

On motion of Mr. Long, the report of the committee was accepted, and the committee were instructed to present a resolution granting the request of the Warden in relation to his retaining the money due him for services.

Mr. Holbrook, chairman of committee on incorporations, to whom was referred back

(H. F. No. 3) "An act to repeal certain city charters," and also certain petitions from the citizens of several other cities for the repeal of their city charters, reported that, having conferred with the committee on petitions and memorials, in conformity with the instructions of the House, respectfully submitted the accompanying act as a substitute.

(H. F. No. 17) "An act repealing certain acts herein named."

On motion of Mr. West, the report was accepted, and the bill laid on the table to come up in its order.

The following report was received and read:

"COMMITTEE ROOM, Jan. 11th, 1862.

HON. SPEAKER AND MEMBERS OF HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the petition of 124 citizens of Washington county, praying for an appropriation to be expended, under the direction of the County Court of Washington county, for the purpose of opening and improving the roads, report that, in the opinion of your committee, an appropriation would be judiciously expended in opening and improving the roads in that county, and thus facilitate the development of the resources of that newly-settled country, and we further recommend that the sum of two thousand dollars be appropriated for this purpose.

Respectfully,

THOMAS GROVER, Chairman pro tem."

On motion of Mr. Stout, the report was accepted, and the committee on claims and appropriations instructed to incorporate the same in the Territorial Appropriation Bill.

Mr. Johnson, chairman of special committee, to whom was referred petition of Levi Stewart for the location and opening a road west of Utah Lake, having considered the subject, reported the accompanying act.

(H. F. No. 18) "An act to provide for locating and opening a road west of Utah Lake."

On motion of Mr. Long, the report was received, and the bill laid on the table to come up in its order.

The following bills were received and read:

"THE TERRITORY OF UTAH,

TO THOMAS BULLOCK, DR.

1860.	To twenty-six days' service copying records, journal, etc., for the Legislature of 1859-60,	
Jan.	which was required by the Governor to be	
and	done, and which could not be done during	
	the session, and comparing journal with	
Feb.	copy	\$78 00
	Assistant two days comparing journal	6 00
	Paid postage on letters to probate judges and	
	notary publics	96

"THE TERRITORY OF UTAH,

TO THOMAS BULLOCK, DR.

1861.	To twenty-three days' service copying records,	
Jan.	Legislative Journal, etc., etc., for the Legis-	
Feb.	-lature of 1860-1, which was required by	
and	the Governor to be done, and which could	
March.	not be done during the session	69 00
	Two days comparing Journal with minutes	6 00
	An assistant two days	6 00
		<hr/>
		\$81 00

On motion of Mr. Stout, said bills were referred to the committee on claims and appropriations.

Mr. Long presented,

(H. F. No. 19) "An act regulating the assessing and collecting of county, territorial and city taxes," which was read, and,

On motion of Mr. Woolley, was laid on the table to come up in its order.

The following was received and read:

"COUNCIL CHAMBER, JAN. 11, 1862.

HON. JOHN TAYLOR, Speaker:

The Council has concurred in (H. F. No. 13) 'An act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river,' approved Jan. 18, 1861, and is returned to be engrossed.

Respectfully,

D. H. WELLS, President."

(H. F. No. 15) "An act repealing the several acts in relation to Penitentiary and for other purposes," was taken up on its first reading, and,

On motion of Mr. West, passed.

(H. F. No. 16) "An act in relation to fish traps and fisheries," was taken up on its first reading, and,

On motion of Mr. Long, was referred to a special committee.

The Speaker appointed Messrs. West, Long and Maughan said committee.

(H. F. No. 14) "An act defining the boundaries of counties," was taken up on its second reading, and,

On motion of Mr. West, was referred back to the committee on counties.

On motion of Mr. Thompson, said committee were instructed to confer with the council committee on the subject.

On motion of Mr. Long,

(H. F. No. 19) "An act regulating the assessing and collecting of County, Territorial and City taxes," was taken up on its first reading, and,

On motion of Mr. Hatch, passed.

On motion of Mr. Stout, said bill was made the first business in order on Monday.

On motion of Mr. Stout,

(H. F. No. 17) "An act repealing certain acts herein named," was taken up on its first reading, and,

On motion of Mr. Rowberry, was passed.

The following was received and read:

"COMMITTEE ROOM, Jan. 11, 1862.

HON. SPEAKER AND MEMBERS HOUSE REPRESENTATIVES:

GENTLEMEN:—The ex-Warden of the Penitentiary, Daniel Carn, had an interview with your committee on yesterday, and presented a claim asking for an appropriation of \$1,000 to remunerate him for supplies furnished United States convicts during his term of office. The Warden was under the impression that he was to receive his pay for such supplies from the United States Government, hence, the reason for not presenting the claim to your honorable body sooner.

Your committee investigated the above claim, and are satisfied that the Warden has not been paid by the government, and that he should receive his pay from the Territory, and that the Territory is the proper party to adjust said claim.

By request of Mr. Carn, your committee respectfully present the above claim.

H. B. CLAWSON, Chairman of Committee."

On motion of Mr. Stout, the committee on claims and appropriations were instructed to incorporate the sum of \$800 in the Territorial appropriation bill in liquidation of said claim.

A message was received from the Council informing the House that they had passed,

(H. F. No. 2) "An act in relation to attachments and garnishments," with certain amendments, and returning said bill for concurrence in the amendments.

Said bill was read as amended, and,

On motion of Mr. Stout, the House concurred in the amendments of the Council.

The minutes were called for, read and accepted.

On motion of Mr. Long, the House adjourned till Monday at 1 p.m.

Benediction by the Chaplain.

MONDAY, JANUARY 13, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 13th, 1862, 11 o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

"EXECUTIVE OFFICE, G. S. L. City,
Dec. 13, 1862.

HON. D. H. WELLS, President:

SIR:—The following have been approved:

1. 'Memorial to Congress for a donation of land to cities, towns and villages, and for the aid of common schools.'
2. 'Memorial to Congress for daily mail.'
3. 'Memorial for a national central railroad.'

Respectfully,

FRANK FULLER, Acting Governor."

Councilor Cummings presented, petition signed by Wm. Miller and 115 other citizens of Utah county, praying for an appropriation of \$500 to repair the Provo bridge on the Territorial road in that county, which was read, and,

On motion of Councilor Cummings, the petition was referred to the committee on roads, etc.

Councilor Cummings presented a petition for increase of fees of district courts, signed by Patrick Lynch, clerk of Third Judicial District, which was read, and referred to the committee on revenue.

Councilor Geo. A. Smith presented, petition of citizens of St. George, in Washington county, praying for a charter for a city, with boundaries as set forth, which was read; also a bill accompanying said petition, entitled (C. F. No. 15) "An act to incorporate the city of St. George, in Washington county," which was read, and,

On motion of Councilor Cummings, the bill was laid on the table to come up in its order.

Councilor Woodruff presented a communication from J. W. Fox, Territorial Surveyor General in relation to time expended by him

in his office, and moved that the committee on appropriations be instructed to include in the Territorial Appropriation Bill the sum of \$500 for the relief of that officer.

The communication was read, and the motion was seconded and carried.

Councilor Geo. A. Smith, to whom was referred the two bills (C. F. No. 13) "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, and embodying certain amendments," and, (H. F. No. 10) "An act amending certain acts therein named," reported back the two bills, the former amended with additions and having in it incorporated the substance of the latter bill, so recommended its passage.

On motion of Councilor Cummings, the bill (C. F. No. 13) "An act in relation to the compilation," etc., was taken up on its second reading.

On motion of Councilor Carrington, the words "naturalization of aliens," and references thereto, were stricken out of the 2d Section.

On motion of Councilor Carrington, the words "An act governing writs of attachments and capias," and references thereto, were stricken out.

On motion of Councilor Woodruff, the words "An act to incorporate the Deseret Iron Company," and references thereto, were stricken out.

The bill then passed its second reading.

On motion of Councilor Carrington, the bill so passed its third reading by its title, and was sent to the House for concurrence, and,

On motion of Councilor Cummings, the bill (H. F. No. 10) "An act amending certain acts therein named," being merged, the bill (C. F. No. 13) now passed by the Council, was accordingly returned to the House.

The following messages were received from the House:

'REPRESENTATIVES' HALL, 13th Jan., 1862.

HON. D. H. WELLS, President:

SIR:—The House of Representatives has this day passed the accompanying bill (H. F. No. 5) 'An act repealing a portion of an act in relation to the judiciary,' which is herewith respectfully submitted for your concurrent action thereon.

Respectfully,

JOHN TAYLOR, Speaker."

"REPRESENTATIVES' HALL, January 13, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The House of Representatives has this day passed the accompanying bill (H. F. No. 21) 'An act locating the county seat of Juab county,' which is now respectfully submitted for your Legislative action thereon. Respectfully,

JOHN TAYLOR, Speaker."

(H. F. No. 21) "An act locating the county seat of Juab county" was taken up, read, and,

On motion of Councilor Benson, the Council concurred in the bill, and ordered it to be so returned to the House.

Councilor Hyde made the following report:

"MR. PRESIDENT:

The committee on roads, to whom was referred the petition of a portion of the citizens of Provo city, Utah county, asking an appropriation of five hundred dollars to repair the bridge over Provo river, on the Territorial road, would respectfully report that said petition should be granted, in the opinion of your committee; provided the people of Provo, and of other towns south of Provo, in Utah county, will voluntarily contribute an additional sum sufficient to complete the repairs on said bridge; and to make the road good from Provo city to the top of the first dug way north west of the bridge to the acceptance of the Territorial Road Commissioner, and that the certificate of said commissioner that the repairs before named on said bridge and road, are well and faithfully done, and that the same are in good and safe condition for public traveling, shall be the draft of the petitioners on the treasury for the amount; and that the committee on appropriations be instructed to incorporate the above sum in the general Territorial Appropriation Bill, subject to the conditions contained in this report.

ORSON HYDE, Chairman."

On motion of Councilor Geo. A. Smith, the report was accepted, and the subject and recommendation contained in the report were referred to the committee on appropriations.

(C. F. No. 15) "An act to incorporate the city of St. George, in Washington county," was taken up, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on incorporations.

Councilor Richards made the following report:

"COMMITTEE ROOM, Jan. 13, 1862.

TO THE PRESIDENT AND COUNCIL:

GENTLEMEN:—Your committee on education to whom was re-

ferred (H. F. No. 9) 'An act in relation to the Superintendent of Common Schools,' respectfully recommend the passage of the bill with accompanying amendment; to wit, after the word 'Superintendent' in the first line of Sec. 2, insert "to keep a record of the condition of common schools through the Territory as reported to him and'.

Respectfully,

F. D. RICHARDS."

The report was accepted and the bill was laid on the table to come up in its order.

Councilor Cummings, chairman of the committee on claims, to whom was referred the claim of Wm. I. Appleby for services in connexion with the Supreme Court of the Territory, reported adversely to the same.

On motion of Councilor Hess, the report was accepted and the committee discharged from further consideration of the subject.

The minutes were called for, read and accepted.

On motion of Councilor Benson, Council adjourned till tomorrow at 11 o'clock a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 13, 1862, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Snow reported the following:

HON. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred, (H. F. No. 8) entitled 'An act in relation to the Provo kanyon road,' have well and faithfully considered the subject, in connection with Messrs. Woolley and Long, who were added to their number, they have obtained all the information within their reach having relevance to the question, and most respectfully recommend the passage of the accompanying substitute.

Very respectfully,

BERNARD SNOW, Chairman."

Said substitute (H. F. No. 20) "An act in relation to the Provo kanyon road," was read, and,

On motion of Mr. Maughan, the report was received, and the bill laid on the table to come up in its order.

Mr. Rockwood, chairman of committee on Penitentiary, to whom was referred the subject in relation to bringing in a resolution enabling Daniel Carn to retain certain money, reported the accompanying Resolution, and recommended its adoption.

Said Resolution was read, and,

On motion of Mr. West, was laid on the table to come up in its order.

The order of the day,

(H. F. No. 19) "An act regulating the assessing and collecting of County, Territorial and City taxes," was taken up on its second reading, and,

On motions, the bill passed its second reading by sections.

Mr. Midgley presented,

(H. F. No. 21) "An act locating the county seat of Juab county," which was read, and,

On motion of Mr. Stout, laid on the table to come up in its order.

Mr. Midgley moved, that the committee on claims and appropriations be instructed to consider the propriety of incorporating the sum of \$22 50 in the Territorial appropriation bill, to reimburse the County Court of Juab county for material furnished and work done in repairing the Sevier bridge, during the year 1861. Seconded and carried.

(H. F. No. 18) "An act to provide for locating and opening a road west of Utah lake," was taken up on its first reading, and,

On motion of Mr. Long, passed.

(H. F. No. 15) "An act repealing the several acts in relation to the Penitentiary, and for other purposes," was taken up on its second reading by sections,

Reading the discussion of which, the bill was referred back to the committee on Penitentiary for amendment, to which committee Mr. Stout was added on the amendment of said bill.

(H. F. No. 17) "An act repealing certain acts herein named," was taken up on its second reading by sections, and,

On motion of Mr. West, the enacting clause thereof was stricken out.

(H. F. No. 3) "An act repealing a portion of an act in relation to the judiciary," was taken up on its second reading, and,

On motion of Mr. Long, passed.

On motion of Mr. Stout, the bill passed its third reading by its title.

On motion of Mr. Long;
(H. F. No. 21) "An act locating the county seat of Juab county,"
was taken up on its first reading, and;

On motion of Mr. Thompson, passed.

Said bill was taken up on its second reading, and;

On motion of Mr. Hatch, passed:

On motion of Mr. Long, said bill passed its third reading by its title.

The following report was received and read:

"COMMITTEE ROOM, Jan. 13, 1862.

HON. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee having duly examined into the claim of James A. Little, for services as Warden of the Utah Penitentiary during the year 1861, beg leave to report, that there is

Due James A. Little, for services as Warden during
the year ending Jan. 31, 1862, the sum of - \$1,000 00

James A. Little has received on account
of services, as per Director's report,
Dec., 1861 - \$773 39

Amount received from United States mar-
shal for board of United States con-
victs, as per Penitentiary book - 7 00

Total received - \$780 39

Leaving a balance due James A. Little,
for services as Warden, the sum of \$219 61

H. B. CLAWSON,

Chairman of Committee on Claims."

On motion of Mr. Maughan, the report was received.

The minutes were called for, read and accepted.

On motion of Mr. Stout, the House adjourned till to-morrow at
1 p.m.

Benediction by the Chaplain.

TUESDAY, JANUARY 7, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 14th, 1862, 11 o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smith, in behalf of the committee on incorporations, to whom was referred, (C. F. No. 15) "An act to incorporate the city of St. George, in Washington county," reported back the same amended, and so recommended its passage.

The bill was placed on its second reading by sections, passed its second reading, and,

On motion of Councilor Smith, the bill was read the third time by its title, passed, and ordered to be sent to the House for concurrence.

Councilor Cummings, in behalf of the committee on incorporations, to whom was referred the Petition of A. H. Raleigh, and others, praying for chartered rights as an irrigating company, presented,

(C. F. No. 16) "An act to incorporate the Jordan Irrigation Company," which was read, and,

On motion of Councilor Woodruff, was placed on its second reading by sections.

The bill passed its second reading, and,

On motion of Councilor Hess, the bill was read the third time by its title, so passed, and sent to the House for concurrence.

(H. F. No. 9) "An act in relation to the superintendents of common schools," was taken up and read as received amended from the committee on education.

On motion of Councilor Smith, the bill was read the second time, passed, and,

On motion of Councilor Smith, the bill was read the third time by its title, so passed, and ordered to be returned to the House for concurrence in the amendment.

(C. F. No. 3) "An act concerning the collection and payment by the Territory of Utah of her apportionment of the direct tax, apportioned by an act of Congress, and approved August 5, 1861," was taken up on its second reading, and, while under consideration,

On motion of Councilor Geo. A. Smith, the Council adjourned to meet the House in joint session.

The Council having returned to their chamber,

Councilor Geo. A. Smith, from the committee on judiciary, presented,

(C. F. No. 17) "An act defining the judicial districts for the United States courts in the Territory of Utah," which was read, and,

On motion of Councilor Woodruff, passed its first reading.

Councilor Geo. A. Smith, from the committee on judiciary, presented,

(C. F. No. 18) "An act assigning the Chief-Justice and two associate justices to their several judicial districts," which was read, and laid on the table to come up on its second reading when called for.

Councilor Geo. A. Smith, from said committee, presented,

(C. F. No. 19) "An act specifying the times and places of holding district courts for the transaction of Territorial business," which was read, and laid on the table to come up on its second reading.

The Council resumed consideration of the bill (C. F. No. 3) in relation to the United States direct tax, and,

On motion of Councilor Woodruff, the bill was referred, the House concurring, to a joint committee of two on the part of the Council, and three on the part of the House, to report at an early day, and,

The President appointed Councilors Harrington and Cummings that committee on the part of the Council.

Councilor Cummings made the following report:

"COUNCIL CHAMBER, Jan. 14, 1862.

TO THE PRESIDENT AND LEGISLATIVE COUNCIL:

GENTLEMEN:—The committee on incorporations, to whom was referred, (H. F. No. 6) 'An act repealing an act incorporating the city of Palmyra, and certain sections of other acts therein named,' have examined the same, and report it back without amendment, and recommend the passage of the same.

Respectfully,

J. W. CUMMINGS,

In behalf of Committee on Incorporations."

The bill (H. F. No. 6) was taken up on its second reading, passed, and,

On motion of Councilor Smith, was read the third time by its title, passed, and so returned to the House.

The following message was received from the House:

“REPRESENTATIVES’ HALL, Jan. 14th, 1862.

HON. DANIEL H. WELLS, President:

The House of Representatives have concurred in your bill (C. F. No. 13) ‘An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, and embodying certain amendments,’

The House have also concurred in your amendments to (H. F. No. 9) ‘An act in relation to the Superintendent of Common Schools,’

Respectfully,

JOHN TAYLOR, Speaker.”

The following message was received from the House:

“REPRESENTATIVES’ HALL, Jan. 14th, 1862.

HON. D. H. WELLS, President:

SIR:—The House of Representatives have adopted the accompanying ‘Memorial to Congress for the admission of Utah into the Union as a sovereign State,’ and respectfully solicit your concurrence.

Truly yours,

JOHN TAYLOR, Speaker.”

The memorial, as received from the House, was read, and,

On motion of Councilor Hyde, was referred to the committee on memorials.

Councilor Hyde, chairman of the committee on roads, bridges, ferries and kanyons, reported back (H. F. No. 7) “An act providing for a poll tax for road purposes,” amended, with a new section in lieu of Sec. 2.

The bill was read as amended.

On motion of Councilor Harrington, the words “after reserving therefrom an amount sufficient to remunerate himself for his services, as hereinafter provided,” were inserted at the end of the 1st Section.

On motion of Councilor Smith, the section received from the committee on roads, etc., was rejected, and the words “County Court” were stricken out, and “Probate Judge or clerk of the County Court” inserted in 1st line in 2d Section.

On motion of Councilor Smith, the words “to the acceptance of the County Court” were stricken out, and the words “to be paid out of the poll tax of his district” were inserted in lieu thereof at the end of 2d Section.

It was sustained to retain the word “two” in second line of 2d Section, in lieu of “three” as received from the House.

On motion of Councilor Hyde, the words "the amount of said means" were stricken out of 6th Section.

The bill so passed its second reading, and,

On motion of Councilor Hess, the bill passed its third reading by its title, and was sent to the House for concurrence in the amendments.

The following message was received from the House:

"REPRESENTATIVES' HALL, Jan. 14th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The House of Representatives have concurred in your action in relation to (C. F. No. 3) 'An act concerning the direct tax,' etc., on its reference to a joint committee, and have appointed Messrs. West, Stout and Maughan said committee on the part of the House.

Respectfully,

JOHN TAYLOR, Speaker."

The minutes were called for, read and accepted.

On motion of Councilor Spencer, the Council adjourned till tomorrow at 11 a.m.

Benediction by the Chaplain.

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JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 14th, 1862, 1 p.m. }

The Legislative Assembly met in joint session, according to previous agreement.

The President of the Council presiding.

Roll of Council called; quorum present.

Roll of House called; quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session open, and ready for the business before them of electing the officers elective by the joint vote of the Assembly.

On motion of Councilor Benson, Albert Carrington was elected Chancellor of the University.

On motion of Mr. John V. Long, Geo. W. Mousely was elected a Regent of the University.

On motion of Mr. West, John V. Long was elected a Regent of the University.

On motion of Councilor Benson, T. B. H. Stenhouse was elected a Regent of the University.

On motion of Councilor Richards, Carl G. Measer was elected a Regent of the University.

On motion of Mr. Hatch, Jos. A. Young was elected a Regent of the University.

On motion of Mr. Farr, Robert L. Campbell was elected a Regent of the University.

On motion of Councilor Smith, Gilbert Clements was elected a Regent of the University.

On motion of Mr. John V. Long, Henry I. Doremus was elected a Regent of the University.

On motion of Councilor Hyde, Wm. Eddington was elected a Regent of the University.

On motion of Councilor Smith, Thomas Bullock was elected a Regent of the University.

On motion of Mr. Hatch, Samuel W. Richards was elected a Regent of the University.

On motion of Councilor Benson, Isaac Groo was elected a Regent of the University.

On motion of Councilor Smith, Thomas W. Ellerbeck was elected Treasurer of the University.

On motion of Mr. West, David O. Calder was elected Territorial Treasurer.

On motion of Mr. Stout, William Clayton was elected Auditor of Public Accounts.

On motion of Mr. Farr, Theodore McKean was elected Territorial Road Commissioner.

On motion of Mr. Long, Henry W. Lawrence was elected Territorial Marshal.

On motion of Councilor Benson, Seth M. Blair was elected Attorney-General.

On motion of Mr. Long, Wm. Snow was elected District Attorney for the First Judicial District.

On motion of Councilor Smith, Hosea Stout was elected District Attorney for the Second Judicial District.

On motion of Councilor Hyde, Jesse W. Fox was elected Territorial Surveyor-General.

On motion of Mr. Hatch, John Lyon, sen., was elected Librarian.

On motion of Councilor Hyde, Wm. Clayton was elected Recorder of Marks and Brands.

On motion of Mr. West, Frederick Kesler was elected a Director of the Penitentiary.

On motion of Councilor Benson, Feramor Little was elected a Director of the Penitentiary.

On motion of Mr. Farr, Ebenezer R. Young was elected a Director of the Penitentiary.

On motion of Mr. Stout, Albert P. Rockwood was elected Warden of the Penitentiary.

On motion of Mr. Long, Nathan Davis was elected Sealer of Weights and Measures.

On motion of Mr. Long, James D McCullough was elected Probate Judge of Washington county.

On motion of Mr. Crosby, James G. Bleak was elected Notary Public for Washington county.

On motion of Councilor Benson, Silas S. Smith was elected Probate Judge of Iron county.

On motion of Councilor Smith, Calvin C. Pendleton was elected Notary Public for Iron county.

On motion of Mr. Stout, Daniel M. Thomas was elected Probate Judge of Beaver county.

On motion of Councilor Smith, Nathan H. Carlow was elected Notary Public for Beaver county.

On motion of Mr. Callister, Thomas R. King was elected Probate Judge of Millard county.

On motion of Mr. Callister, Joseph V. Robinson was elected Notary Public for Millard county.

On motion of Councilor Hyde, R. Wilson Glenn was elected Probate Judge of Sanpete county.

On motion of Mr. Snow, John Eager was elected Notary Public for Sanpete county.

On motion of Mr. Midgley, Andrew Love was elected Probate Judge of Juab county.

On motion of Mr. Midgley, Samuel Pitchforth was elected Notary Public for Juab county.

On motion of Councilor Harrington, Aaron Johnson was elected Probate Judge of Utah county.

On motion of Councilor Cummings, Albert K. Thurler was elected Notary Public for Utah county.

On motion of Councilor Woodruff, Elias Smith was elected Probate Judge of Great Salt Lake county.

On motion of Mr. West, John T. Caine was elected Notary Public for Great Salt Lake county.

On motion of Councilor Smith, W. W. Phelps was elected Notary Public for Great Salt Lake county.

On motion of Mr. Stout, Thomas Grover was elected Probate Judge of Davis county.

On motion of Councilor Hess, James Leithhead was elected Notary Public for Davis county.

On motion of Mr. West, Francis A. Brown was elected Probate Judge of Weber County.

On motion of Mr. Farr, Wm. Creitchlow was elected Notary Public for Weber county.

On motion of Mr. Maughan, Jonathan C. Wright was elected Probate Judge of Box Elder county.

On motion of Mr. West, Samuel Smith was elected Notary Public for Box Elder county.

On motion of Mr. Stout, Peter Maughan was elected Probate Judge of Cache county.

On motion of Mr. Maughan, James H. Martineau was elected Notary Public for Cache county.

The following communication was received and read:

“EXECUTIVE DEPARTMENT, G. S. L. City,
Jan. 14th, 1862.

HON. DANIEL H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

GENTLEMEN:—I desire to submit to the joint session of your honorable bodies the name of Wm. A. Carter, the present incumbent of the office of judge of probate for Green River county, as a candidate for re-election.

Respectfully,

FRANK FULLER, Acting Governor.”

On motion of Councilor Benson, Wm. A. Carter was elected Probate Judge of Green River county.

On motion of Mr. Stout, Wm. A. Carter was elected Notary Public for Green River county.

On motion of Councilor Benson, Thomas Rhoads was elected Probate Judge of Summit county.

On motion of Councilor Smith, Samuel P. Hoyt was elected Notary public for Summit county.

On motion of Mr. Stout, Evan M. Greene was elected Probate Judge of Tooele county.

On motion of Mr. Maughan, Lysander Gee was elected Notary Public for Tooele county.

Minutes read and accepted.

On motion of Councilor Smith, the joint session dissolved.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 14th, 1862, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The House went into joint session.

(See Joint Session minutes.)

On joint session dissolving, the House resumed its sitting.

The following was received and read:

“EXECUTIVE OFFICE, G. S. L. City,
Jan. 14th, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—An act amending ‘an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river,’ approved Jan. 18, 1861, received from your honorable body on the 13th inst., has been approved this day.

Respectfully,

FRANK FULLER, Acting Governor.”

The following was also received and read:

“COUNCIL CHAMBER, Jan. 13, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The accompanying bill (C. F. No. 13) ‘An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, and embodying certain amendments,’ having passed the Council, is respectfully forwarded for the action of the House, and

Your bill (H. F. No. 10) ‘An act amending certain acts therein named,’ is herewith returned, the substance of said bill having been included in the bill above mentioned.

Your bill (H. F. No. 21) ‘An act locating the county seat of Juab county,’ is also herewith returned, having been concurred in by the Council.

Respectfully,

DANIEL H. WELLS, President.”

(C. F. No 13) “An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, and embodying certain amendments,” was taken up, and,

On motion of Mr. Stout, the bill was concurred in, and ordered to be so returned to the Council.

The following report was received and read:

"COUNCIL CHAMBER, JAN. 14, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The accompanying bill (C. F. No. 15) entitled 'An act to incorporate the city of St. George, in Washington county,' having passed the Council, is now forwarded for the action of the House.

The accompanying bill (C. F. No. 16) 'An act to incorporate the Jordan Irrigation Company,' having passed the Council is also forwarded for your action.

Your bill (H. F. No. 9) 'An act in relation to the Superintendents of Common Schools' is herewith returned, having been concurred in by the Council with an amendment to the 2d Sec., to wit, the words 'to keep a faithful record of the condition of common schools throughout the Territory, as reported to him by the county superintendents, and' are inserted next after the word 'superintendent' in first line thereof, in which amendment your concurrence is solicited.

Respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Long, the House concurred in the amendments to (H. F. No. 9) "An act in relation to the Superintendents of Common Schools."

Mr. Stout presented, petition of 29 citizens for an appropriation of \$1,000 to improve the road at the Point of the Mountain between Great Salt Lake and Utah valleys, which was read, and,

On motion of Mr. West, the committee on claims and appropriations were instructed to incorporate the same in the Territorial Appropriation Bill, to be expended under the supervision of the Territorial Road Commissioner.

The following was received and read:

"HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on petitions and memorials deem it important to memorialize Congress upon the subject of the admission of Utah into the family of States, contemplating, as they do, the adoption of a Republican Constitution by the Convention, which is expected to convene in this city during the present month, they therefore respectfully present the accompanying memorial and recommend its adoption.

J. V. LONG, Chairman."

"Memorial to Congress for the admission of Utah into the Union," was taken up and read, and,

On motion of Mr. Stout, adopted.

Mr. Rockwood, chairman of committee on Penitentiary, to whom was referred the claim of Mr. Beattie for services as clerk of the board of directors and warden of the Penitentiary, recommended that the committee on claims and appropriations be instructed to incorporate the sum of \$100 in the Territorial Appropriation Bill in full for said claim.

Mr. Rhoads presented,
(H. F. No. 22) "An act locating the county seat of Summit county," which was read, and,

On motion of Mr. Thompson, passed its first reading.

Mr. Farr, chairman of committee on elections, to whom was referred the motion of Mr. Long, of the 4th inst., in relation to an act to equalize the representation of the people of the several counties in the Legislative Assembly of this Territory, reported the accompanying act.

(H. F. No. 23) "An act apportioning the representation of Utah Territory," which was read, and,

On motion of Mr. Stout, the report of the committee was accepted, and the bill laid on the table to come up in its order.

The following was received and read:

"COMMITTEE ROOM, Jan. 13th, 1862.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the petition of 58 citizens of Beaver county, praying for an appropriation to be expended on the State Road, within the limits of said county, having considered the subject, would respectfully recommend that the prayer of said petitioners be granted, and the committee on claims and appropriations be instructed to incorporate the sum of three hundred and fifty dollars in the Territorial Appropriation Bill, for the purpose set forth in the petition.

Yours faithfully,

BERNARD SNOW, Chairman."

On motion of Mr. Thompson, the committee on claims and appropriations were instructed to incorporate the same in the Territorial Appropriation Bill.

Mr. Long moved, that the committee on claims and appropriations be instructed to incorporate the sum of \$219.61 in the Territorial Appropriation Bill, it being the sum due James A. Little, Esq., on account of his salary as warden of the Penitentiary. Seconded and carried.

The committee on claims and appropriations were instructed by vote of the House to incorporate in the Territorial Appropriation Bill to the directors of the Penitentiary the sum of \$5,000, or so

much thereof as may be necessary for Penitentiary purposes for the ensuing year.

(H. F. No. 12) "An act for the establishing and regulating stray pounds and for other purposes, was taken up on its first reading, and,

On motion of Mr. West, passed.

The following was received and read:

"COUNCIL CHAMBER, Jan. 14th, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The Council has voted to refer their bill (C. F. No. 3) 'An act concerning the direct tax,' etc., to a joint committee, the House concurring, of two on the part of the Council, and three on the part of the House, and has appointed Councilors Harrington and Cummings that committee on the part of the Council. A similar action on your part is solicited.

Your bill (H. F. No. 6) 'An act repealing an act incorporating the city of Palmyra and certain sections of other acts herein named,' is herewith returned, having been concurred in by the Council.

Very respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Stout, the House concurred with the action of the Council in relation to (C. F. No. 3) "An act concerning the direct tax," etc.

The Speaker appointed Messrs. West, Stout and Maughan said joint committee on the part of the House.

(H. F. No. 20) "An act in relation to the Provo kanyon road," was taken up on its first reading, and,

On motion of Mr. Long, passed.

On motion of Mr. Stout, said bill was taken up on its second reading, and pending discussion of Sec. 2, said bill was referred back to the committee for amendment.

The minutes were called for, read and accepted.

On motion of Mr. Callister, the House adjourned till to-morrow 10 a.m.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 15, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Jan. 15th, 1862, 11 o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"REPRESENTATIVES' HALL, 15th Jan., 1862.

HON. D. H. WELLS, President:

SIR:—Under date the 13th inst., Mr. Daniel Carn, ex-Warden of the Utah Penitentiary, addressed a note to the House of Representatives, proposing to relinquish all claims against the Territorial treasury on account of United States' convicts, and also all other claims against the Territory; providing the Legislative Assembly would authorize him to retain the money collected from the United States Government, and other money expected to be collected on account of United States' convicts, amounting in the whole to some thirty-three hundred dollars, and that he would accept the same as a full and final settlement of all demands against the Territory.

After fully deliberating on the subject, the House has adopted the accompanying 'Resolution in relation to a final settlement with Daniel Carn, ex-Warden of the Utah Penitentiary,' and solicit your concurrence.

Respectfully,

JOHN TAYLOR, Speaker."

The resolution was read as received from the House, and,

On motion of Councilor Benson, the resolution was concurred in, and ordered to be returned to the House.

Councilor Woodruff presented the following report:

TO THE PRESIDENT AND COUNCIL:

GENTLEMEN:—The committee on revenue, to whom was referred the petition of Patrick Lynch, asking for an increase of the fees in a fee bill, approved Jan. 21, 1859, beg leave to report that they deem it impolitic to make any change in that fee bill during the present session of the Legislature.

W. WOODRUFF, Chairman."

On motion of Councilor Benson, the report was accepted and the committee discharged from further consideration of the subject. The following message was received from the House:

"REPRESENTATIVES' HALL, Jan. 15th, 1862.

HON. DANIEL H. WELLS, President.

SIR:—The House of Representatives has this day passed the accompanying bill (H. F. No. 18) 'An act to provide for locating and opening a road west of Utah lake,' which is herewith submitted for your action thereon.

The House has also concurred in your amendments to (H. F. No. 7) 'An act providing for a poll tax for road purposes,' excepting your amendment by inserting the words 'or City street,' in line 6, which is stricken out. Do you concur in striking out the words 'or city street?'

Respectfully,

JOHN TAYLOR, Speaker."

On motion of Councilor Woodruff, the Council concurred with the House in the rejection of the words "or City street," from the 1st Sec. of the bill (H. F. No. 7) entitled "An act providing for a poll tax for road purposes," and the House was notified accordingly.

Councilor Benson, chairman of committee on elections, introduced a bill (C. F. No. 20) entitled "An an apportioning the representation of Utah Territory," which was read, and,

On motion of Councilor Spencer, was laid on the table to come up on its second reading.

The bill (H. F. No. 18) "An act to provide for locating and opening a road west of Utah lake," was read, and,

On motion of Councilor Spencer, was referred to the committee on roads.

Councilor Hyde, chairman of committee on roads, to whom was referred (H. F. No. 18) "An act to provide for locating and opening a road west of Utah lake," reported back the bill with an amendment.

The bill was read as amended, and,

On motion of Councilor Hyde, was referred to the committee on appropriations.

Minutes read and accepted.

On motion of Councilor Hyde, Council adjourned till to-morrow at 11 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 15, 1862, 10 a.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

“COMMITTEE ROOM, Jan. 15th, 1862.

HON. SPEAKER, AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on roads, bridges, ferries and kanyons, to whom was referred the condition of the Sevier bridge, would report, that from evidence before them, they are satisfied that said bridge is not in safe condition for heavily-laden teams; and, furthermore, that the bend in the road at the east end of said bridge is entirely too sudden to render it practicable for large teams, and; therefore, recommend that the sum of \$250 be incorporated in the Territorial appropriation bill, to be expended under the direction of the Territorial Road Commissioner, to reimburse Juab county in the sum of \$22 50, by them already expended thereon, and to put said bridge and road, in immediate conjunction therewith, in a safe and practicable condition.

Respectfully,

BERNARD SNOW, Chairman.”

On motion of Mr. Moody, the report of the committee was accepted, and the committee on claims and appropriations were instructed to incorporate the same in the Territorial appropriation bill.

The following was received, and read:

“HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your special committee, to whom was referred (H. F. No. 16) ‘An act in relation to fish traps and fisheries,’ respectfully report that they have thoroughly investigated the subject, and now present the accompanying substitute, and recommend its passage.

Very respectfully,

J. V. LONG, Chairman pro tem.”

Said bill (H. F. No. 24) “An act to regulate fisheries and to prohibit fish traps in the river Jordan,” was read, and,

On motion of Mr. Hatch, the report was accepted, and the bill laid on the table to come up in its order:

The following was received and read:

"COMMITTEE ROOM, Jan. 15th, 1862.

HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred back the bill defining the boundaries of counties, beg leave to report that according to your instructions, we have conferred with the committee in the Council, and find that a general bill for the establishment of county boundaries has been prepared to report; we, the Council, and your committee, wish to be discharged from the further consideration of the matter.

Respectfully,

SILAS S. SMITH."

On motion of Mr. Long, the report of the committee was received, and said committee were discharged from the further consideration of said subject.

Mr. Rockwood, chairman of committee to whom was referred (H. F. No. 15) having examined the bill as amended, reported that without the repealing clause in the first section, as originally couched in said section, the bill fails to carry out the object designed, therefore, recommended the reconsideration of the amendment, or that the bill be laid on the table for the action of some future Legislative Assembly.

On motion of Mr. Long, the report of the committee was accepted, and their recommendation to reconsider the first section of said bill was acceded to.

Resolution authorizing Daniel Carn to retain certain money, was read, and,

On motion of Mr. Rockwood, had leave to withdraw the same.

Mr. Rockwood presented, 'Resolution in relation to a final settlement with Daniel Carn, ex-Warden of the Utah Penitentiary,' which was read, and,

On motion of Mr. Moody, adopted.

(H. F. No. 19) "An act regulating the assessing and collecting of County, Territorial and City taxes," was taken up on its third reading, and,

On motion of Mr. Long, laid on the table till to-morrow.

(H. F. No. 18) "An act to provide for locating and opening a road west of Utah lake," was taken up on its second reading, and,

On motions, amended, and so passed its second reading.

On motions of Mr. Long, the bill passed its third reading by its title.

A message was received and read from the Council, announcing

their passage of (H. F. No. 7) "An act providing for a poll tax for road purposes," with amendments.

Said bill was read as amended, and,

On motion of Mr. Crosby, the Council amendment, in first section, line 6, was not concurred in.

A message was received and read from the Council, announcing their concurrence in "Resolution in relation to a final settlement with Daniel Carn, ex-Warden of the Utah Penitentiary.

Mr. Snow, chairman of committee on roads, bridges, ferries and canyons, to whom was recommended "An act in relation to the Provo canyon road," presented accompanying substitute (H. F. No. 25) "An act in relation to the Provo canyon road," which was read, and,

On motion of Mr. Rowberry, the report was received, and the bill laid on the table to come up in its order.

On motion of Mr. Grover, the House adjourned for one hour.

2 p.m.

House assembled as per adjournment.

Roll called. Quorum present.

A message was received and read from the Council, informing the House of the concurrence of the Council in the rejection of their amendment in first section of (H. F. No. 7) "An act providing for a poll tax for road purposes."

(C. F. No. 15) "An act to incorporate the city of St. George, in Washington county," was taken up on its first reading, and,

On motion of Mr. Stout, passed.

(C. F. No. 16) "An act to incorporate the Jordan Irrigation Company," was taken up on its first reading, and,

On motion of Mr. Long, passed.

(H. F. No. 22) "An act locating the county seat of Summit county," was taken up on its second reading, and,

On motion of Mr. Stout, passed.

On motion of Mr. Long, the bill passed its third reading by its title.

(H. F. No. 23) "An act apportioning the representation of Utah Territory, was read, and,

On motion of Mr. Rowberry, passed its first reading.

On motion of Mr. Stout, (C. F. No. 15) "An act to incorporate the city of St. George," was taken up on its second reading, and,

On motion of Mr. Long, passed.

On motion of Mr. Hatch, the bill passed its third reading by its title.

On motion of Mr. Stout,
(C. F. No. 16) "An act to incorporate the Jordan Irrigation Company," was taken up on its second reading by sections, and,

On motions amended, and so passed.

On motion of Mr. Long, the bill passed its third reading by its title.

Bill of Henry W. Lawrence, Territorial Marshal, for services rendered and stationery furnished, amounting to \$65 75, was read, and,

On motion of Mr. Snow, was referred to the committee on claims and appropriations.

(H. F. No. 12) "An act for the establishing and regulating estray pounds, and for other purposes," was taken up on its second reading, and,

On motion of Mr. Stout, the enacting clause was stricken out.

(H. F. No. 24) "An act to regulate fisheries and to prohibit fish-traps in the river Jordan," was taken up on its first reading, and,

On motion of Mr. Stout, passed.

(H. F. No. 25) "An act in relation to the Provo kanyon road," was taken up on its first reading, and,

On motion of Mr. Stout, passed.

(H. F. No. 15) "An act repealing the several acts in relation to the Penitentiary, and for other purposes," was taken up on the reconsideration of that portion of Section 1 which was stricken out, and,

On motion of Mr. Stout, the enacting clause thereof was stricken out.

(H. F. No. 23) "An act apportioning the representation of Utah Territory," was taken up on its second reading, and,

On motions, amended, and so passed.

The bill passed its third reading by its title.

The minutes were called for, read and accepted.

On motion, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 16, 1862.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Jan. 16th, 1862, 11 o'clock a.m. }

Council met pursuant to adjournment.
Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

“REPRESENTATIVES’ HALL, Jan. 15th, 1862.

HON. D. H. WELLS, President:

SIR:—The House of Representatives has this day passed the bill (H. F. No. 23) ‘An act apportioning the representation of Utah Territory,’ which is herewith submitted for your concurrent action thereon.

Respectfully,

JOHN TAYLOR, Speaker.”

The bill, as received from the House, was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on elections, together with the bill (C. F. No. 20) “An act apportioning the representation of Utah Territory,” which was taken up for that purpose.

The following message was received from the House:

“REPRESENTATIVES’ HALL, Jan. 15th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The House of Representatives has passed the bill (H. F. No. 22) ‘An act locating the county seat of Summit county,’ which is herewith submitted for your concurrent action thereon.

The House has also passed the bill (C. F. No. 15) ‘An act to incorporate the city of St. George, in Washington county,’ which is herewith returned to be engrossed.

They have also passed your bill (C. F. No. 16) ‘An act to incorporate the Jordan Irrigation Company,’ with the following amendments, viz.: by striking out the words ‘to land’ at the end of Section 2, and inserting the words ‘which bonds shall be for the use of any person aggrieved,’ after the word ‘lake’ in the eighth line of Section 5. Do you concur in the amendments?

Respectfully,

JOHN TAYLOR, Speaker.”

The bill (H. F. No. 22) “An act locating the county seat of Summit county,” as received from the House, was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on counties.

The amendments made by the House of Representatives to bill (C. F. No. 16) “An act to incorporate the Jordan Irrigation Company,” were considered and agreed to.

The following message was received from the House:

"The House of Representatives has this day passed the bill (H. F. No. 24) 'An act to regulate fisheries, and to prohibit fish traps in the river Jordan,' which is herewith submitted for your action thereon.

Respectfully,

JOHN TAYLOR, Speaker."

The bill, as received from the House, was read, and,

On motion of Councilor Geo. A. Smith, was referred to the committee on agriculture, trade and manufactures.

Councilor Geo. A. Smith moved, that the committee on agriculture, trade and manufactures be instructed to inquire into the propriety of making an appropriation for the introduction of fish culture in the Territory. Seconded and carried.

Councilor Carrington, in behalf of the committee on counties, made the following report:

"Your committee on counties, to whom was referred 'An act to organize Wasatch county,' respectfully report further action thereon unnecessary, said act being included in the accompanying 'Act defining the boundaries of counties, and for other purposes,' which is herewith presented and recommended to be passed.

A. CARRINGTON."

On motion of Councilor Geo. A. Smith, the report was accepted, and the bill (C. F. No. 21) "An act defining the boundaries of counties, and for other purposes" was read the first time, and,

On motion of Councilor Richards, was placed on its second reading by sections, passed its second reading, and,

On motion of Councilor Benson, the bill passed its third reading by its title, and it was ordered that the bill be sent to the House of Representatives for concurrence.

Councilor Hyde, from the committee on memorials, reported back the "Memorial to Congress for the admission of Utah into the Union as a sovereign State" amended, and so recommended its adoption. The memorial was read as amended, and,

On motion of Councilor Benson, the memorial was adopted, and it was ordered to be returned to the House for concurrence in the amendments.

Councilor Harrington, made the following report:

"The joint committee, to whom was referred the subject of the United States direct tax, have duly considered the subject, and respectfully report the accompanying bill, and recommend its passage.

Respectfully,

L. E. HARRINGTON, Chairman."

The bill accompanying said report, entitled (C. F. No. 22) "An act providing for the assessing, collecting and paying over of the quota of direct tax apportioned to the Territory of Utah by act of Congress," approved August 5, 1861, was read the first time, and,

On motion of Councilor Woodruff, passed to its second reading, and, while under consideration,

On motion of Councilor Carrington, was referred back to the same joint committee.

On motion of Councilor Benson, the House of Representatives was requested to meet the Council in joint session to-morrow at 2 p.m., in order to elect the remainder of the officers elective by the Assembly, and to attend to such other business as may be brought before them.

Councilor Woodruff, from the committee on agriculture, trade and manufactures, reported back the bill (H. F. No. 24) "An act to regulate fisheries and to prohibit fish traps in the river Jordan" amended, and so recommended its passage.

The bill was read as amended, and,

On motion of Councilor Snow, was placed on its second reading by sections.

On motion of Councilor Carrington, the bill was read the third time by its title, amended so as to read "An act to regulate fisheries and to prohibit fish traps and other contrivances for catching fish in the river Jordan," and so passed, and it was ordered that it be returned to the House for concurrence in the amendments.

The following messages were received from the House:

"REPRESENTATIVES' HALL, JAN. 16th, 1862.

HON. DANIEL H. WELLS, President:

SIR:—The House of Representatives has concurred in your amendments to their 'Memorial to Congress for the admission of Utah into the Union as a sovereign State.'

The House also concurs in your request for a joint session of the two Houses to-morrow at 2 o'clock p.m., 'to elect the remainder of officers to be elected by the Assembly, and to attend to such other business as may be brought before them.'

Respectfully,

JOHN TAYLOR, Speaker."

"REPRESENTATIVES' HALL, 16th Jan., 1862.

HON. D. H. WELLS, President:

SIR.—The House of Representatives has adopted the accompanying 'Resolution appointing a Superintendent of the Provo kan-

yon road, and specifying the rate of toll to be collected thereon, and respectfully solicit your concurrence therewith.

Respectfully,

JOHN TAYLOR, Speaker."

The Resolution, as received from the House, was read, and,

On motion of Councilor Hess, was placed on its second reading.

On motion of Councilor Geo. A. Smith, the word "Resolution," in title, was stricken out, and the words "An act" inserted in lieu thereof, and resulting alterations made in the body of the bill.

On motion of Councilor Woodruff, the bill was referred to the committee on incorporations.

Councilor Richards made the following report:

"The committee on counties, to whom was referred (H. F. No. 22), 'An act locating the county seat of Summit county,' respectfully recommend that the name 'Wanship' be substituted for the word 'Weberville,' and that the bill, so amended, be concurred in by the Council.

Respectfully,

F. D. RICHARDS, Chairman."

The bill was read as amended, and,

On motion of Councilor Geo. A. Smith, the Council voted to concur in the bill as amended, and ordered that the bill be so returned to the House, and their concurrence in the amendment solicited.

The bill (C. F. No. 17) "An act defining the judicial districts for the United States courts in the Territory of Utah," was taken up on its second reading, passed its second reading, and,

On motion of Councilor Harrington, the bill passed the third reading by its title, and it was ordered that the bill be sent to the House of Representatives for concurrence.

The bill (C. F. No. 18) "An act assigning the Chief-Justice and two associate justices to their several judicial districts," was taken up on its second reading, passed its second reading, and,

On motion of Councilor Benson, the bill passed its third reading by its title, and it was ordered that the bill be sent to the House of Representatives for concurrence.

The bill (C. F. No. 19) "An act specifying the times and places of holding district courts for the transaction of Territorial business," was taken up on its second reading, passed its second reading, and,

On motion of Councilor Geo. A. Smith, the bill passed its third reading by its title, and it was ordered that the bill be sent to the House of Representatives for concurrence.

Councilor Cummings presented the following report:

"The committee on appropriations, to whom was referred (H. F. No. 18) 'An act to provide for locating and opening a road west of Utah Lake,' would most respectfully recommend that the Council do not concur in the passage of said bill, and would assign as a reason, that in their opinion there is not funds on hand that could be wisely appropriated for that purpose, as provided for in said bill.

Respectfully,

J. W. CUMMINGS, Chairman."

On motion of Councilor Benson, the report of the committee was accepted, and it was ordered that the bill be returned to the House not concurred in.

Councilor Snow presented the following report:

"The committee on incorporations, to whom was referred the Petition of Wm. A. Hickman, in reference to a turnpike road, have thought proper to report unfavorable to the aforesaid Petition, which is herewith returned.

L. SNOW, Chairman."

Councilor Benson, chairman of committee on elections, to whom was referred the two bills apportioning the representation of Utah Territory, reported back the same, recommending the passage of the bill from the Council, and that the House bill of same nature be accordingly returned to that body without further action.

The following message was received from the House:

"REPRESENTATIVES' HALL, Jan. 16, 1862.

HON. D. H. WELLS, President:

SER.—I have the honor to inform you that the House of Representatives has concurred in your amendments to (H. F. No. 24) 'An act to regulate fisheries and to prohibit fish traps and other contrivances for catching fish in the river Jordan.'

The House has also concurred in your amendment to (H. F. No. 22) 'An act locating the county seat of Summit county.'

Respectfully,

JOHN TAYLOR, Speaker."

The bill (C. F. No. 20) "An act apportioning the representation of Utah Territory," was placed on its second reading by sections.

The bill passed its second reading, and,

On motion of Councilor Carrington, the bill was read the third time by its title, and so passed, and it was ordered that the bill be sent to the House of Representatives for concurrence.

On motion of Councilor Carrington, the bill (H. F. No. 5) entitled "An act repealing a portion of an act in relation to the judi-

ciary," was taken up, and it was ordered that it be returned to the House not concurred in, being superseded by the bill (C. F. No. 13) "An act in relation to the compilation of the laws," etc., which has passed both Houses.

The minutes were called for, read and accepted.

On motion of Councilor Carriagton, Council adjourned till tomorrow at 11 o'clock a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }

Jan. 16, 1862, 10 a.m. }

The House met pursuant to adjournment.

Called to order by the-Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

(H. F. No. 24) "An act to regulate fisheries and to prohibit fish traps in the river Jordan," was taken up on its second reading, and amended, and so passed.

On motion of Mr. Long, the bill passed its third reading by its title.

(H. F. No. 25) "An act in relation to the Provo Canyon road," was taken up on its second reading, and,

On motion of Mr. Snow, the bill was referred to a special committee of one; whereupon, the Speaker appointed Mr. Snow said special committee.

On motion of Mr. Woolley, the House adjourned till 2 p.m.

2 p.m.

House assembled as per adjournment.

Roll called. Quorum present.

The following petition was received and read:

"HON. SPEAKER AND MEMBERS HOUSE REPRESENTATIVES:

GENTLEMEN:—Your petitioner would most respectfully represent that as he has been elected to the office of sealer of weights and measures, (by the joint vote of the Legislative Assembly) and there has been no appropriation made for procuring the necessary weights and measures for carrying those duties into effect, and respectfully requests that you would appropriate the sum of three

hundred dollars, or as much thereof as may be necessary for that purpose, and your petitioner, as in duty bound, will ever pray.

NATHAN DAVIS.

G. S. L. City, Jan. 16th, 1862."

On motion of Mr. Long, the committee on claims and appropriations were instructed to incorporate the sum asked for by the petitioner in the Territorial Appropriation Bill.

Mr. Snow, of the special committee to whom was referred "An act in relation to the Provo Kanyon road," reported accompanying resolution as a substitute.

Said "Resolution appointing a superintendent of the Provo Kanyon road, and specifying the rate of toll to be collected thereon," was read, and,

On motion of Mr. Hatch, was adopted.

Mr. Eldredge moved, that the committee on petitions and memorials be instructed to draft a petition memorializing Congress to remit that portion of the direct tax apportioned to the Territory of Utah in the act of Congress, approved Aug. 5, 1861. Seconded and carried.

The committee on claims and appropriations were instructed, by vote of the House, to incorporate the claims of Thomas Bullock for services, copying records, journals, etc., for the Legislative Assembly of 1859-60, also of 1860-61.

The following was received and read:

"COUNCIL CHAMBER, Jan. 16, 1862.

HON. JOHN TAYLOR, Speaker:

Your 'Memorial to Congress for the admission of Utah into the Union as a sovereign State' has been concurred in by the Council with amendments, in which your concurrence is requested.

The House of Representatives are requested by the Council to meet them at two o'clock p.m. to-morrow in joint session, to elect the remainder of officers to be elected by the Assembly, and to attend to such other business as may be brought before them.

Respectfully,

D. H. WELLS, President.

T. W. Ellerbeck, Secretary."

Said "Memorial to Congress for the admission of Utah into the Union as a sovereign State," was read as amended, and,

On motion of Mr. Snow, the House concurred in the amendments.

On motion of Mr. Midgley, the House concurred in the wishes of the Council for joint session.

On motion of Mr. Long, the House took a recess for half an hour.

4 p.m.

House re-assembled and called to order by the Speaker.

The following message was received from the Council:

"The amendments made by the House to the bill (C. F. No. 16) 'An act to incorporate the Jordan Irrigation Company,' have been concurred in by the Council.

The accompanying bill (C. F. No. 21) 'An act defining the boundaries of counties and for other purposes,' having passed the Council, is now forwarded for your action."

Said bill (C. F. No. 21) "An act defining the boundaries of counties and for other purposes," was read, and,

On motion of Mr. Moody, passed its first reading.

The following message was received from the Council and read:

"Your bill (H. F. No. 24) has been concurred in by the Council with amendments in the body of the bill, and in the title, which is made to read, 'An act to regulate fisheries, and to prohibit fish traps and other contrivances for catching fish in the river Jordan,' and is now forwarded for concurrence of the House in those amendments."

Said bill was read as amended, and,

On motion of Mr. Long, the amendments were concurred in.

The following message from the Council was received and read:

"Your bill (H. F. No. 22) 'An act locating the county seat of Summit county' has been concurred in by the Council, with the amendment substituting the word 'Wanship' in lieu of Weberville, in which you are respectfully solicited to concur."

Said bill was read as amended, and,

On motion of Mr. Rhoads, the amendment was concurred in.

The following report was received and read:

"COMMITTEE ROOM, Jan. 16th, 1862.

HON. SPEAKER AND MEMBERS OF HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Territorial Road Commissioner's report referred to the committee on claims has been duly examined, and we find there is a balance still due of \$1175 for the building of the Weber Bridge. This sum your committee respectfully recommend be included in the Territorial Appropriation Bill.

Also we find that Daniel H. Wells, Esq., has expended the sum of \$7,894 25 over and above the appropriations made by the Territory of Utah and Great Salt Lake County, on the Great Salt Lake City and Weber road.

The Territorial Road Commissioner recommends that an appro-

priation be made to said D. H. Wells, Esq. Your committee endorse his recommendation, and respectfully suggest that the sum of three thousand dollars be included in the Territorial Appropriation Bill to reimburse D. H. Wells in part for the means expended in building said road, etc.

H. B. CLAWSON,
Chairman Committee on Claims."

On motion of Mr. West, the report of the committee was received, and their recommendations adopted.

Mr. Young moved, that the Speaker appoint a special committee to wait upon the Secretary of the Territory, and inquire if he is prepared to pay the balance of per diem due members of the Legislative Assembly, under the administration of Secretary Hartnett, for the session of 1858-9; and also to inquire whether he is prepared to pay the members their per diem and mileage for the special session called by the Gov. Cumming in November, 1860. Seconded and carried.

Messrs Young, West and Woolley were appointed said special committee by the Speaker.

The minutes were called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till tomorrow at 10 a.m.

Benediction by the Chaplain.

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FRIDAY, JANUARY 17, 1862.

E.

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COUNCIL.

COUNCIL CHAMBER, O. S. L. City, }
Jan. 17th, 1862, 11 o'clock a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received and read:

"EXECUTIVE OFFICE, G. S. L. City,
Jan. 16, 1862.

HON. D. H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

GENTLEMEN:—The following have been approved:

1. An act in relation to the Superintendents of Public Schools.

2. An act repealing an act incorporating the city of Palmyra and certain sections of other acts herein named.

3. An act locating the county seat of Juab county.

4. An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, and embodying certain amendments.

5. Resolution in relation to a final settlement with Daniel Carn, ex-warden of the Utah Penitentiary.

6. An act in relation to attachments and garnishments.

7. An act providing for a poll tax for road purposes.

Respectfully,

FRANK FULLER, Acting Governor."

The following message was received from the House:

"The House of Representatives have appointed Messrs. Young, West and Woolley, a joint committee to act in conjunction with a like committee from the Council, to draft a statement setting forth the facts in relation to the extra session of the Legislative Assembly, called by Gov. Cumming in November, 1860, and present the same to the Hon. Secretary with the request that he forward it, with such other evidence as he may have in his office, to the proper department at Washington, and to solicit the payment of the mileage and per diem of the members and officers of that session."

On motion of Councilor Benson, the Council agreed to the action of the House, and the President appointed Councilors Benson and Richards to that committee on the part of the Council.

Councilor Harrington, chairman of joint committee to whom was referred the bill (C. F. No. 22) "An act providing for the assessing," etc., of the United States direct tax, reported back the bill amended, and the title to read "An act assuming the quota of the direct tax apportioned to the Territory of Utah by act of Congress, approved Aug. 5, 1861," and so recommended its passage.

The bill was read as amended, and,

On motion of Councilor Woodruff, the bill was placed on its second reading.

The bill passed its second reading, and,

On motion of Councilor Richards, the bill was read the third time by its title, and so passed, and it was ordered that it be sent to the House for concurrence.

The following message was received from the House:

"The House of Representatives has this day passed the bill (H. F. No. 19) 'An act in relation to Territorial, County and City taxes,' which is herewith submitted for your action thereon."

The bill as received from the House was read, and was passed to its second reading.

The following message was received from the House:

"The House of Representatives has passed your bill (C. F. No. 21) 'An act defining the boundaries of counties and for other purposes,' and the same is herewith returned to be engrossed."

Councilor Cummings made the following report:

"The committee on incorporations, to whom was referred the bill (H. F. No. 25) entitled 'An act appointing a superintendent of the Provo Kanyon road and specifying the rates of toll to be collected thereon,' report back the bill amended, and recommend its passage."

The bill was read as amended, and,

On motion of Councilor Carrington, the Council voted to concur with the House in the passage of the bill, and ordered it to be so returned to the House for concurrence in the amendments.

The bill (H. F. No. 19) "An act in relation to Territorial, County and City Taxes," was taken up on its second reading. Passed its second reading, and,

On motion of Councilor Spencer, the bill was read the third time by its title, passed, and it was ordered to be so returned to the House.

The following message was received from the House:

"The House of Representatives has passed your bill entitled (C. F. No. 17) 'An act defining the judicial districts for the United States Courts in the Territory of Utah.'

The House has also passed the following (C. F. No. 18) 'An act assigning the Chief Justice and two Associate Justices to their several districts.'

(C. F. No. 19) 'An act specifying the times and places of holding District Courts for the transaction of territorial business.'

(C. F. No. 20) 'An act apportioning the representation of Utah Territory,' all of which are herewith returned to be engrossed.

The House has also passed (C. F. No. 22) 'An act assuming the quota of the direct tax apportioned to the Territory of Utah by act of Congress, approved August 5th, 1861,' with one amendment, viz., inserting the word 'acting' before 'governor,' in the eight line of said bill. Do you concur?"

The Council voted not to concur in the amendment of the House to the bill (C. F. No. 22) "An act assuming the quota of the direct tax," etc., and the House were notified accordingly, and requested to accede to the original wording of the bill.

Councilor Woodruff, chairman of the committee on agriculture,

trade and manufactures, reported that the committee had had the subject of fish culture, which was referred to them, under consideration, and had matured no action in relation thereto.

On motion of Councilor George A. Smith, the committee was requested to further consider the subject, and to report during next session of the Assembly.

The Council now adjourned to meet the House in joint session.

Council having resumed its session,

The following message was received from the House:

"The House of Representatives has reconsidered (C. F. No. 22) 'An act assuming the quota of the direct tax,' etc., and concurred in the bill as originally worded.

The House has also concurred in your amendments to 'An act appointing a superintendent of the Provo Canyon road, and specifying the rate of toll to be collected thereon.'

The following message was received from the House:

"The House of Representatives has this day adopted the accompanying 'Memorial to Congress to remit the direct tax apportioned to Utah Territory,' which is now forwarded for your concurrence."

The memorial was read, and,

On motion of Councilor Hyde, was adopted, and so returned to the House.

Councilor Cummings, chairman of the committee on appropriations, presented General Appropriation Bill, which was read, and,

On motion of Councilor Carrington, was read the second time.

On motion of Councilor Spencer, the bill passed its third reading by its title, and was sent to the House of Representatives for concurrence.

The following message was received from the House:

"The House of Representatives has passed the bill (H. F. No. 26) 'An act to provide for locating a road west of Utah lake,' and the same is herewith forwarded for your action thereon."

The bill as received from the House was read, and,

On motion of Councilor Geo. A. Smith, the bill was negatived, and it was ordered that it be so returned to the House.

On motion of Councilor Carrington, Council adjourned till 6 p.m.

6 p.m.

Council met according to adjournment.
Roll called. Quorum present.

The following communications were received and read:

"EXECUTIVE DEPARTMENT, G. S. L. City,
Jan. 17th, 1862.

HON. D. H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

GENTLEMEN:—I have approved the memorial to Congress for the admission of the Territory of Utah into the Union, appending to the same the following explanation:

'As it appears to me to be contrary to the best usage to submit a memorial to Congress for the purpose herein indicated, without an accompanying Constitution, or at least an allusion to such an instrument previously submitted, to afford a basis for Congressional action, I am compelled to view this memorial in the light of an application for authority to take the initiatory steps preparatory to admission as a sovereign State, which would be the formation of a State Constitution, and accordingly declare the same approved.' "

Respectfully,

FRANK FULLER, Acting Governor."

"EXECUTIVE DEPARTMENT, G. S. L. City,
Jan. 17th, 1862.

HON. D. H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

"The following bills have this day received Executive approval:

1. An act to incorporate the city of St. George, in Washington county.
2. An act to incorporate the Jordan Irrigation Company.
3. An act to regulate fisheries and to prohibit fish-traps and other contrivances for catching fish in the river Jordan.
4. An act locating the county seat of Summit county.
5. An act assuming the quota of the direct tax apportioned to the Territory of Utah by act of Congress, approved Aug. 5, 1861.
6. An act apportioning the representation of Utah Territory.
7. An act specifying the times and places of holding District courts for the transaction of Territorial business.
8. An act defining the judicial districts for the United States' courts in the Territory of Utah.
9. An act assigning the Chief Justice and two Associate Justices to their several judicial districts."

Respectfully,

FRANK FULLER, Acting Governor."

The following message was received from the House:

"The House of Representatives has concurred in your 'General Appropriation Bill,' which is herewith returned to be engrossed.

The House has also passed the inclosed 'Territorial Appropriation Bill,' which is now submitted for your action thereon."

The Territorial Appropriation Bill as received from the House, was read, and,

On motion of Councilor Cummings, was passed to its second reading, and the bill was amended by striking out therefrom or amending the following appropriations, to wit:

\$2,000 for a road in Washington county was stricken out.

\$1,000 for improving Weber Canyon road was stricken out.

\$5,000 for Penitentiary purposes was amended to read \$1,500 for that purpose.

\$125 for Territorial Library was stricken out.

\$1,000 for improving road at "Point of Mountain" was stricken out.

\$200 for Sevier bridge was amended to read \$122.50 for that purpose.

\$500 for a road from St. George to Grafton, in Washington county, was stricken out.

\$500 to repair the Provo bridge was stricken out.

\$500 to Territorial Surveyor amended to read \$300.

\$350 to repair State road in Beaver county was stricken out.

On motion of Councilor Geo. A. Smith, the sum of \$24 was added to the bill to be paid to T. Ballock for services during this session, and the sum of \$16 was added to the bill to be paid to John Jacques for services during this session.

On motion of Councilor Hyde, the bill passed its third reading by its title, and was referred to the House for concurrence in the amendments.

The following message was received from the House:

"The House of Representatives has passed the bill (H. F. No. 27) 'An act amendatory to an act amending an act prescribing the manner of assessing and collecting Territorial and County taxes,' and the same is herewith submitted for your action thereon."

The bill as received from the House was read, and,

On motion of Councilor Benson, was amended, and the title amended to read "An act in relation to the manner of assessing and collecting Territorial taxes."

The bill was so concurred in, and it was ordered that the bill be so returned to the House, and their concurrence in the amendments solicited.

The following message was received from the House:

"The House of Representatives have re-considered their action

on 'An act in relation to Territorial, County and City taxes,' and have amended the same.

'The act as amended is respectfully submitted for your concurrent action thereon.'

The bill was read as amended; and,

On motion of Councilor Hess, the Council concurred in the amendments to said bill; so the bill passed, and it was ordered that the bill be so returned to the House to be engrossed.

The following message was received from the House:

"The House of Representatives has concurred in your amendments to their 'Territorial Appropriation Bill,' and have further amended said bill by adding the following, viz.:

To Robert L. Campbell, for services engrossing laws of the present session - - - - - \$12 00

If you concur, the bill will be immediately placed in the hands of the engrossing clerk."

On motion of Councilor Hyde, the amendment made by the House to the Territorial Appropriation Bill was concurred in, and the House notified accordingly.

Councilor Harrington presented "Resolution convening the Legislative Assembly," which was read, and,

On motion of Councilor Geo. A. Smith, was adopted and ordered to be sent to the House for concurrence.

The following message was received from the House:

"The House of Representatives has passed the accompanying bill (H. F. No. 28) 'An act to modify the charters of Great Salt Lake and Ogden cities,' which is respectfully submitted for the action of the Council thereon.

The House concurs in your amendments to (H. F. No. 27) 'An act in relation to the manner of assessing and collecting Territorial taxes.'

The bill (H. F. No. 28) was read as received from the House, and,

On motion of Councilor Geo. A. Smith, the bill was concurred in, and ordered to be so returned to the House.

The following message was received from the House:

"The House of Representatives has concurred in your 'Resolution convening the Legislative Assembly,' and the same is herewith returned to be engrossed."

Councilor Richards presented "Resolution relating to the publishing of the laws and the distribution of the laws and journals of the present session," which was read, and,

On motion of Councilor Benson, the resolution was adopted, and it was ordered that the same be sent to the House of Representatives for concurrence.

The following message was received from the House:

"The House of Representatives has concurred in your 'Resolution relating to the publishing of the laws and the distribution of the laws and journals of the present session,' and the same is herewith returned to be engrossed."

On motion of Councilor Benson, the Council notified the House that there was no more business before them, and, if the table of the House was cleared, solicited their concurrent action in appointing a joint committee to wait upon the Governor and inform him that there being no more business before them, they knew of no reason why they should not now adjourn, and to ask if he has any further communication to make to them.

Councilor Hyde moved, "That the honorable President of this Council, Daniel H. Wells, is justly entitled to the thanks of this House for the firm, dignified, and able manner in which he has discharged the duties of his office; and likewise for his kind, familiar and courteous deportment towards all the members of the same during the present session."

The motion was seconded and unanimously carried.

The following message was received from the House:

"The House of Representatives having no business on their table, they have concurred in appointing a joint committee to wait upon the Governor for the purpose specified in your communication, and have appointed Messrs. Clawson, Woolley and Maughan to act in conjunction with the Council committee for the purpose named."

On motion of Councilor Hess, Councilors Benson and Woodruff were appointed to said joint committee on the part of the Council.

The following communication was received and read:

"EXECUTIVE DEPARTMENT, G. S. L. City,
Jan. 17th, 1862.

HON. DANIEL H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

GENTLEMEN:—The following have been approved:

1. An act appointing a superintendent for the Provo Kanyon road, and specifying the rate of toll to be collected thereon.
2. An act defining the boundaries of counties and for other purposes.
3. General Appropriation Bill.
4. Memorial to Congress to remit the direct tax.

5. Resolution convening the Legislative Assembly.
6. An act in relation to Territorial, County and City taxes.
7. An act to modify the charters of Great Salt Lake and Ogden cities.
8. An act in relation to the manner of assessing and collecting Territorial taxes.
9. Resolution relating to the publishing of the laws and distribution of the laws and journals of the present session."

Respectfully,

FRANK FULLER, Acting Governor."

The following communication was received and read:

"HON. DANIEL H. WELLS, President:

HON. JOHN TAYLOR, Speaker:

GENTLEMEN:—The Territorial Appropriation Bill is approved.

Respectfully,

FRANK FULLER, Acting Governor."

Councilor Benson, in behalf of the joint committee of the two Houses, reported that the committee had waited upon the Governor, agreeably to their instructions, who had courteously informed them that he had no further official communication to make to the Assembly at this session, whereupon,

The minutes being called for, were read and accepted; and,

On motion of Councilor Hyde, the Council adjourned to meet in accordance with resolution convening Legislative Assembly.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 17th, 1862, 2 p. m. }

The two Houses met in joint session according to previous agreement.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council.

Quorum present.

The Chief Clerk called the roll of the House.

Quorum present.

Prayer by the Chaplain of the Council.

On motion of Councilor Benson, John W. Witt was elected Probate Judge of Wasatch county.

On motion of Mr. Thompson, James McNaughton was elected Notary Public for Wahsatch county.

On motion of Mr. West, Charles Peterson was elected Probate Judge of Morgan county.

On motion of Mr. Farr, Isaac Bowman was elected Notary Public for Morgan county.

On motion of Councilor Benson, Robert L. Campbell was elected Superintendent of Common Schools.

On motion of Councilor Woodruff, James W. Cummings was elected Superintendent of Provo Canyon road.

Mr. Crosby presented the following joint resolution complimenting and approving the official acts of Honorable Frank Fuller, Secretary and Acting Governor of Utah, which was read, and,

On motion of Mr. Snow, was adopted, and ordered to be spread on the journal, to wit:

"Joint Resolution complimenting and approving the official acts of the Honorable Frank Fuller, Secretary and Acting Governor of Utah:

Be it resolved by the Legislative Assembly in Joint Session assembled: That we highly approve of the sober, industrious habits and gentlemanly deportment of the Honorable Frank Fuller, and,

Be it further resolved. That we fully appreciate the just and impartial discharge of his official duties, as Secretary and Acting Governor of this Territory, and that his agreeable manners and liberal sentiments merit the esteem, not only of this Legislative Assembly, but of our citizens generally."

On motion of Mr. Long, the joint session dissolved.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 17, 1862, 10 a.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message from the Council was received and read:

"COUNCIL CHAMBER, Jan. 16, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The following bills have passed the Council, and are now sent for the action of your honorable body, to wit:

(C. F. No. 17) 'An act defining the judicial districts for the United States Courts for the Territory of Utah.'

(C. F. No. 18) 'An act assigning the Chief-Justice and two associate justices to their several districts.'

(C. F. No. 19) 'An act specifying the times and places of holding district courts for the transaction of Territorial business.'

Your bill (H. F. No. 18) 'An act to provide for locating and opening a road west of Utah Lake,' is herewith returned, being negatived by the Council.

Very respectfully,

DANIEL H. WELLS, President."

(C. F. No. 17) "An act defining the judicial districts for the United States courts in the Territory of Utah," was taken up on its first reading, and,

On motion of Mr. Thompson, passed.

(C. F. No. 18) "An act assigning the Chief-Justice and two associate justices to their several districts," was taken up on its first reading, and,

On motion of Mr. Callister, passed.

(C. F. No. 19) "An act specifying the times and places of holding district courts for the transaction of Territorial business," was taken up on its first reading, and,

On motion of Mr. Grover, passed.

The following message from the Council was received and read:

"The accompanying bill (C. F. No. 20) "An act apportioning the representation of Utah Territory," having passed the Council, is now submitted for the action of the House; and your bill (H. F. No. 23) of same nature, is accordingly returned to the House without further action of Council thereon."

(C. F. No. 20) "An act apportioning the representation of Utah Territory," was taken up on its first reading, and,

On motion of Mr. Thompson, passed.

The following report was received and read:

"COMMITTEE ROOM, Jan. 17, 1862.

THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your special committee have conferred with Mr. Secretary Fuller in relation to the subject referred to them by the vote of yesterday, and they would respectfully recommend that a committee be appointed, to act in conjunction with a like committee from the Council, to draft a statement setting forth the facts in relation to the extra session of the Legislative Assembly, called by Gov. Cumming in November, 1860, and present the same to the Hon. Secretary, with the request that he forward it, with such other

evidence, as he may have in his office, to the proper department at Washington, and to solicit the payment of the mileage and per diem of the members and officers of that session.

The Hon. Secretary thinks there will be no difficulty in collecting the full amount of per diem of those members who did not receive any for the session of 1858-9, but those who did receive part payment, though under protest, would find great difficulty in getting Mr. Hartnett's decision overruled; and the full amount of their claims paid. He said he would, however, favorably represent the matter to the proper department.

Jos. A. Young, Chairman."

On motion of Mr. Moody, the report of the committee was received, and their recommendation adopted.

The Speaker appointed the same committee to act in behalf of the House.

The following report was received and read:

"COMMITTEE ROOM, Jan. 17, 1859.

HON. SPEAKER AND MEMBERS HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee, to whom was referred the claim of Theodore McKean, for services as Territorial Road Commissioner, beg leave to report that having duly examined said claim, are satisfied that the services, as set forth in the bill, were performed by the persons herein named, and your committee respectfully recommend that the sum of \$341 50 be appropriated as follows:

To Theodore McKean, for services as Territorial Road Commissioner	\$292 50
To Jesse W. Fox, for surveying, as per bill	20 00
" A. Williams, for services, as per bill	1 00
" E. Eldridge, for services, as per bill	28 00
	<hr/> \$341 50

And that the same be included in the Territorial appropriation bill.

Respectfully,

H. B. CLAWSON, Chairman."

On motion of Mr. Long, the report was received, and the recommendation of the committee adopted.

(H. R. No. 19) "An act regulating the assessing and collecting of County, Territorial and City taxes, was taken up and read.

Mr. Stout presented amendments to sections one, two, three and four, which,

On motion of Mr. Long, were adopted.

Mr. Stout moved that the title of said bill be amended so as to

read "An act in relation to Territorial, County and City taxes." Seconded and carried.

Mr. Clawson presented bill of Alex. McRae, for supplies furnished to the Penitentiary, amounting to \$50, which was read, and,

On motion of Mr. Maughan, the committee on claims and appropriations were instructed to include the same in the Territorial appropriation bill.

The following message from the Council was received and read:

"The Council has not concurred in (H. F. No. 5) 'An act repealing a portion of an act in relation to the judiciary,' it being superseded by a clause in the 'Compilation act,' and the same is herewith returned to your honorable body."

(H. F. No. 19) "An act in relation to Territorial, County and City taxes," was taken up on its third reading, and,

On motion of Mr. Stout, passed.

The bill was read by its title, and so passed.

(C. F. No. 21) "An act defining the boundaries of counties, and for other purposes" was taken up on its second reading, and,

On motion of Mr. Long, passed its second reading.

On motion of Mr. Stout, the bill passed its third reading.

The bill was read by its title, and so passed.

(C. F. No. 149) "An act defining the judicial districts for the United States courts in the Territory of Utah," was taken up on its second reading, and,

On motion of Mr. Grover, passed.

On motion of Mr. Holbrook, said bill passed its third reading by its title.

The title was read and approved.

(C. F. No. 18) "An act assigning the Chief Justice and two associate justices to their several districts," was taken up on its second reading, and,

On motion of Mr. Thompson, passed.

On motion of Mr. Holbrook, the bill passed its third reading by its title.

The title was read and approved.

(C. F. No. 19) "An act specifying the times and places of holding district courts for the transaction of Territorial business," was taken up on its second reading, and,

On motion of Mr. Grover, passed.

On motion of Mr. Snow, said bill was read by its title, and so passed.

The title was read and approved.

(C. F. No. 23) "An act apportioning the representation of Utah Territory," was taken up on its second reading, and,

On motion of Mr. Maughan, passed.

On motion of Mr. Stout, said bill passed its third reading by its title.

The title of said bill was read and approved.

The following message was received and read:

"The Council has agreed to the action of the House appointing a joint committee for the purpose specified in your message in relation to the extra session of 1860, and Councilors Benson and Richards are appointed to that committee on the part of the Council.

The Council has passed the accompanying bill (C. F. No. 22) entitled 'An act assuming the quota of the direct tax apportioned to the Territory of Utah,' by act of Congress approved August 5, 1861, which is respectfully submitted for your concurrence."

Said bill (C. F. No. 22) "An act assuming the quota of the direct tax apportioned to the Territory of Utah," by act of Congress approved August 5, 1861, was taken up on its first reading, and,

On motion of Mr. Midgley, passed.

On motion of Mr. Grover, said bill was taken up on its second reading, and,

On motion of Mr. Stout, the word "acting" was inserted before the word "Governor" in the eighth line of said bill.

On motion of Mr. Moody, said bill passed its second reading as amended.

On motion of Mr. Stout, said bill passed its third reading by its title.

The title was read and approved.

The minutes were called for, read and accepted.

On motion, the House adjourned till 2 p.m.

2 p.m.

House met as per adjournment.

Roll called. Quorum present.

The following message was received and read:

"Your bill (H. F. No. 19) 'An act in relation to Territorial, County and City taxes,' having been concurred in by the Council, is herewith returned to be engrossed.

Your amendment to the bill (C. F. No. 22) 'An act assuming the quota of the direct tax,' etc., has been negatived by the Council, and your honorable body is requested to accede to the original wording of the bill, which is herewith returned."

On motion of Mr. Stout, the House concurred in the action of

the Council in (C. F. No. 22) "An act assuming the quota of the direct tax," etc.

The following message was received and read:

"Your bill entitled 'An act appointing a Superintendent of the Prove kanyon road, and specifying the rate of toll to be collected thereon,' has been concurred in by the Council, with amendments, in which your concurrence is solicited. The bill is herewith returned."

On motion of Mr. Long, the House concurred with the action of the Council on said bill.

Mr. Young, chairman of committee on petitions and memorials, presented "Memorial to Congress to remit the direct tax apportioned to Utah Territory," which was read, and,

On motion of Mr. Farr, adopted.

Mr. Clawson, chairman of committee on claims and appropriations, to whom was referred the claim of Henry W. Lawrence, as Territorial Marshal, as per bill rendered, amounting to \$65 75, reported adversely thereon.

On motion of Mr. Stout, the report of the committee was accepted. The House went into joint session.

(See Joint Session minutes.)

Upon dissolution of the joint session, the House resumed its sitting.

Mr. Clawson presented, "General appropriation bill," which was read, and,

On motion of Mr. Stout, passed its first reading.

Mr. Moody presented,

H. F. No. 26 "An act to provide for locating a road west of Utah lake," which was read, and,

On motion of Mr. Long, passed its first reading.

The "General appropriation bill" was taken up on its second reading, and,

On motion of Mr. Rowberry, passed.

(H. F. No. 26) "An act to provide for locating a road west of Utah lake," was taken up on its second reading, and,

On motions of Messrs. Thompson and Rockwood, amended.

On motion of Mr. Long, the bill passed its second reading as amended.

On motion of Mr. Moody, the bill passed its third reading by its title.

A message was received from the Council, and read, informing the House of their concurrence in "Memorial to Congress to remit the direct tax apportioned to Utah Territory."

The "General appropriation bill" was taken up on its third reading, and,

On motion of Mr. Rockwood, passed.

The title of said bill was read and approved.

Mr. Clawson, chairman of committee on claims and appropriations, presented, "Territorial appropriation bill," which was read, and,

On motion of Mr. Rockwood, passed its first reading.

On motion of Mr. Woolley, said bill was taken up on its second reading, and,

On motion of Mr. Long, passed its second reading.

A message was received from the Council, and read, informing the House of their action negating (H. F. No. 26) "An act to provide for locating a road west of Utah lake."

Another message was received from the Council, announcing the passage of their "General appropriation bill."

On motion of Mr. Stout, the House concurred with the action of the Council in their "General appropriation bill."

The "Territorial appropriation bill" was taken up on its third reading, and,

On motion of Mr. Rockwood, passed.

The minutes were called for, read and accepted.

On motion, the House adjourned till 7 p.m.

House reassembled as per adjournment.

Roll called. Quorum present.

Messages from his honor Frank Fuller, acting Governor, addressed respectively to their honors the President of the Council and Speaker of the House, were received and read, informing the Assembly of his favorable action upon the bills therein named.

Mr. West presented,

(H. F. No. 27) "An act amendatory to an act amending an act prescribing the manner of assessing and collecting Territorial and County taxes," which was read, and,

On motion of Mr. Maughan, passed its first reading.

On motion of Mr. Crosby, said bill was taken up on its second reading, and,

On motion of Mr. Young, passed.

On motion of Mr. Maughan, said bill passed its third reading by its title.

The following report was read:

"HON. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your special joint committee, appointed to dispose of all redeemed Auditor's warrants issued during the first seven years of our Territorial existence, have discharged that duty by destroying said redeemed Auditor's warrants, and thereby cleared out the secretaries of this cumbersome accumulation of waste paper, and respectfully recommend that this business be hereafter attended to annually.

"J. V. LONG, of the Joint Committee."

On motion of Mr. Midgley, the report was accepted.

On motion of M. Long, the bill (H. F. No. 19) "An act in relation to Territorial, County and City taxes," was reconsidered, and,

On motions of Messrs. Woolley and Long, amendments thereto were inserted.

On motion of Mr. Mangham, the bill passed as amended.

Mr. Young presented,

(H. F. No. 28) "An act to modify the charters of Great Salt Lake and Ogden cities," which was read, and,

On motion of Mr. Thompson, passed its first reading.

Said bill was taken up on its second reading, and,

On motion of Mr. Young, passed.

Mr. Long, chairman of committee on engrossing, recommended that the sum of \$12 be incorporated in the Territorial appropriation bill to Robert T. Campbell, for services rendered as engrossing clerk.

On motion of Mr. Moody, the committee on claims and appropriations were instructed accordingly.

The following message from the Council was received and read:

"COUNCIL CHAMBER, JAN. 17, 1862.

"HON. JOHN TAYLOR, Speaker,

SIR:—Your 'Territorial appropriation bill' is concurred in by the Council with the following amendments to the sums specified, to

\$2,000 for a road in Washington county is stricken out.

\$1,000 for a road in Weber county is stricken out.

\$5,000 for Penitentiary purposes is made to read \$1,500.

\$12 for library purposes is stricken out.

\$1,000 for a road at Point of the Mountain is stricken out.

\$250 for Sevier bridge is amended to read \$122.50.

\$500 for a road near St. George is stricken out.

\$500 for repairs of Provo bridge is stricken out.

Yours obedient servant, J. V. LONG.

\$500 for Territorial Surveyor is made to read \$300, and 'up to date' stricken out.

\$350 for repairs to State road in Beaver county is stricken out.

And the sums of \$24 and \$16 are appropriated to Thomas Bullock and John Jaques for the services specified.

The concurrence of the House in the foregoing amendments is respectfully solicited.

DANIEL H. WELLS, President."

Said 'Territorial appropriation bill' was read as amended, and,

On motion of Mr. West, the House concurred in the action of the Council upon said bill.

On motion of Mr. Young, (H. F. No. 28) "An act to modify the charters of Great Salt Lake and Ogden cities," was taken up on its third reading, and,

On motion of Mr. Long, passed.

Said bill was read by its title, and so passed.

The following message from the Council was received and read:

"The Council has concurred in your amendments to (H. F. No. 19) 'An act in relation to Territorial, County and City taxes,' and respectfully return the same to be engrossed.

The Council has concurred in (H. F. No. 27) 'An act amendatory to an act amending an act prescribing the manner of assessing and collecting Territorial and County taxes,' with amendments, and the title to read, 'An act in relation to the manner of assessing and collecting Territorial taxes.' Your concurrence in the amendments to which, is respectfully solicited."

Said bill was read as amended, and,

On motion of Mr. Woolley, the House concurred in the amendments made by the Council.

A message was received from the Council and read, announcing their concurrence in (H. F. No. 28) "An act to modify the charters of Great Salt Lake and Ogden cities."

Another message was received from the Council and read, informing the House of their adoption of "Resolution convening the Legislative Assembly."

Said Resolution, convening the Legislative Assembly, was read, and,

On motion of Mr. Thurber, the House concurred in the adoption thereof.

Mr. Snow presented the following:

"Resolved, That we highly appreciate the candid, courteous and impartial manner, in which the Speaker has discharged his duties

during this Session of the Legislative Assembly; and, therefore, tender that which he so richly deserves, our humble thanks, accompanied with our earnest wishes for his future prosperity and welfare."

On motion of Mr. Moody, said Resolution was adopted.

A message was received from the Council, inclosing "Resolution relating to the publishing of the laws and the distribution of the laws and journals of the present session," and informing the House of their adoption thereof.

Said Resolution was read, and,

On motion of Mr. Thompson, the House concurred with the action of the Council thereon.

The following communication was received from the Council and read:

"COUNCIL CHAMBER, Jan. 17, 1862.

HON. JOHN TAYLOR, Speaker:

SIR:—The Council, having no more business before them, would be pleased to know if the table of the House is cleared; and if so, solicits the concurrent action of the House in appointing a joint committee to wait upon the Governor, and inform him that there being no more business before the Legislature, they know of no reason why they should not now adjourn, and to ask if he has any further communication to make to them. Councilors Benson and Woodruff are appointed to that committee on the part of the Council.

DANIEL H. WELLS, President."

On motion of Mr. Moody, the House concurred in the suggestions of the Council.

The Speaker appointed Messrs. Clawson, Woolley and Maughan to act, in behalf of the House, with said committee appointed by Council.

Mr. Clawson, in behalf of joint committee from the House, reported, that in conjunction with a like committee from the Council, they had waited upon his Excellency, who informed them that he had no further business to present to the Assembly.

Said committee also presented a communication from his Excellency, addressed to their honors the President of the Council and Speaker of the House of Representatives, communicating his favorable action on bills therein named.

Mr. Clawson, in behalf of said committee, further reported, that he was desired by his Excellency, the Governor, to express his thanks to the Hon. Speaker and Members of the House and the

Committees, for their uniform kindness and good feelings manifested towards him in his official capacity during the session.

The minutes were called for, read and accepted.

On motion of Mr. Woolley, the House adjourned till the second Monday in December.

Benediction by Mr. Woolley.

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JOURNALS

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OF THE

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**NAMES OF THE MEMBERS AND OFFICERS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH,
WITH THE
STANDING COMMITTEES.**

TWELFTH ANNUAL SESSION, 1862-63.

MEMBERS.

Great Salt Lake, Tooele and Shambip Counties:

DANIEL H. WELLS, WILFORD WOODRUFF,
ALBERT CARRINGTON, DANIEL SPENCER,
FRANKLIN D. RICHARDS.

Davis County.

JOHN W. HESS.

Weber, Box Elder, Cache and Malad Counties:

LORENZO SNOW, EZRA T. BENSON.

Utah and Cedar Counties:

LEONARD E. HARRINGTON, JAMES W. CUMMINGS.

Juab and San Pete Counties:

ORSON HYDE.

Millard and Beaver Counties:

WILLIAM J. COX.

Iron and Washington Counties:

GEORGE A. SMITH.

OFFICERS OF THE COUNCIL.

President—DANIEL H. WELLS.

Secretary—JAMES FERGUSON.

Assistant-Secretary—PATRICK LYNCH.

Sergeant-at-Arms—JOHN W. YOUNG.

Messenger—SAMUEL L. SPRAGUE.

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TWELFTH ANNUAL SESSION, 1892-93.

MEMBERS.

Great Salt Lake, Tooele and Shampip Counties:

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FRANKLIN D. RICHARDS.

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Sergeant-at-Arms—JOHN W. YOUNG.

Messenger—SAMUEL L. SPRAGUE.

Foreman—JOHN D. T. McALLISTER.

Chaplain—JOSEPH YOUNG.

STANDING COMMITTEES.

- On Judiciary**—ALBERT CARRINGTON, L. E. HARRINGTON, GEO. A. SMITH, ORSON HYDE.
- On Claims and Appropriations**—JAMES W. CUMMINGS, W. WOODRUFF, LORENZO SNOW.
- On Petitions and Memorials**—GEO. A. SMITH, F. D. RICHARDS, O. HYDE, E. T. BENSON.
- On Revenue**—W. WOODRUFF, L. E. HARRINGTON, JOHN W. HESS, DANIEL SPENCER.
- On Elections**—EZRA T. BENSON, WM. J. COX, LORENZO SNOW.
- On Counties**—F. D. RICHARDS, JNO. W. HESS, JAMES W. CUMMINGS, A. CARRINGTON.
- On Roads, Bridges, Ferries and Kanyons**—ORSON HYDE, GEO. A. SMITH, DANIEL SPENCER, L. E. HARRINGTON.
- On Education**—LORENZO SNOW, ORSON HYDE, F. D. RICHARDS, ALBERT CARRINGTON.
- On Engrossing**—ORSON HYDE, ALBERT CARRINGTON, J. W. CUMMINGS.
- On Printing**—WILFORD WOODRUFF, E. T. BENSON, L. E. HARRINGTON.
- On Agriculture, Trade and Manufactures**—W. WOODRUFF, L. E. HARRINGTON, DANIEL SPENCER, JOHN W. HESS.
- On Militia**—F. D. RICHARDS, ORSON HYDE, WM. J. COX.
- On Incorporations**—LORENZO SNOW, J. W. CUMMINGS, GEO. A. SMITH.
- On Library**—EZRA T. BENSON, WILFORD WOODRUFF.
- On Public Domain and School Lands**—A. CARRINGTON, LORENZO SNOW, J. W. CUMMINGS, W. J. COX.
- On Penitentiary**—EZRA T. BENSON, DANIEL SPENCER, L. E. HARRINGTON.

MEMBERS OF THE HOUSE.

Great Salt Lake County:

JOHN TAYLOR, HIRAM B. CLAWSON,
EDWIN D. WOOLLEY, JOSEPH A. YOUNG,
ALBERT P. ROCKWOOD, JOHN V. LONG.

Utah County:

ALBERT K. THURBER, LORENZO H. HATCH,
AARON JOHNSON.

Davis and Morgan Counties:

JOHN STOKER, JUDSON L. STODDARD.

Weber County:

LORIN FARR, THOMAS DUNN.

Box Elder County:

JONATHAN C. WRIGHT.

Cache County:

PETER MAUGHAN, WILLIAM B. PRESTON.

Tooele County:

ELI B. KELSEY.

Juab County:

TIMOTHY B. FOOTE.

San Pete County:

REDDICK N. ALLRED, MADISON D. HAMBLETON.

Millard County:

THOMAS CALLISTER.

Beaver County:

AMASA M. LYMAN.

Iron County:

SILAS S. SMITH.

Washington County:

ORSON PRATT, SEN.

Wasatch County:

GEORGE W. BEAN.

Summit and Green River Counties:

THOMAS RHOADS.

OFFICERS OF THE HOUSE.

Speaker—ORSON PRATT, Sen.

Chief Clerk—THOMAS BULLOCK.

Assistant Clerk—ROBERT L. CAMPBELL.

Sergeant-at-Arms—JAMES D. ROSS.

Messenger—JAMES URE.

Foreman—JAMES S. BROWN.

Chaplain—WILLIAM W. PHELPS.

STANDING COMMITTEES.

On Judiciary—LORIN FARR, JOHN TAYLOR, JONATHAN C. WRIGHT, AARON JOHNSON, ALBERT P. ROCKWOOD.

On Claims and Appropriations—HIRAM B. CLAWSON, EDWIN D. WOOLLEY, ALBERT P. ROCKWOOD.

On Petitions and Memorials—AMASA M. LYMAN, JOSEPH A. YOUNG, JOHN V. LONG.

On Revenue—ALBERT K. THURBER, JONATHAN C. WRIGHT, PETER MAUGHAN, THOMAS CALLISTER.

On Elections—SILAS S. SMITH, JUDSON L. STODDARD, ELI B. KELSEY, THOMAS DUNN.

On Counties—PETER MAUGHAN, THOMAS DUNN, MADISON D. HAMBLETON, TIMOTHY B. FOOTE.

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On Public Domain and School Lands—AARON JOHNSON, AMASA M. LYMAN, SILAS S. SMITH, REDDICK N. ALLRED, JOSEPH A. YOUNG.

On Penitentiary—EDWIN D. WOOLLEY, LORENZO H. HATCH, JUDSON L. STODDARD.

JOURNALS
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TERRITORY OF UTAH.

— 2 —
TWELFTH ANNUAL SESSION, — 1862-63.
— 2 —

MONDAY, DECEMBER 8, 1862.

COUNCIL.

COUNCIL CHAMBER, U. T.,
Dec. 8th, 1862, 12 m. }

The Council met in the Court House in Great Salt Lake City, pursuant to previous adjournment.

The roll was called by Mr. Patrick Lynch, former Assistant-Secretary.

A Quorum being present,

On motion of Councilor Smith, Councilor Hyde was elected President, pro tem.

Prayer by Mr. Joseph Young, former Chaplain.

The Council then proceeded to organize by electing the following officers:

DANIEL H. WELLS, President.

JAMES FERGUSON, Secretary.

PATRICK LYNCH, Assistant-Secretary.

JOHN W. YOUNG, Sergeant-at-Arms.

SAMUEL L. SPRAGUE, Messenger.

JOHN D. T. McALLISTER, Foreman.

JOSEPH YOUNG, Chaplain.

On motion of Councilor Smith, His Hon. Chief Justice Kinney administered the Oath of Allegiance, as prescribed by Congress, to the members and officers present.

On motion of Councilor Benson, the House was notified that the Council was organized and ready to proceed to business.

Councilor Carrington presented "Resolution, adjourning the Legislative Assembly to the State House, (formerly Council House,) which was read and adopted, and ordered to be sent to the House for concurrence.

The following messages were received from the House:

"GENTLEMEN:—The House of Representatives of the Territory of Utah has convened according to law, and organized by electing the following persons, for this, the twelfth annual session:

ORSON PRATT, Sen., Speaker.

THOMAS BULLOCK, Chief Clerk.

ROBERT L. CAMPBELL, Assistant-Clerk.

JAMES D. ROSS, Sergeant-at-Arms.

JAMES URE, Messenger.

JAMES S. BROWN, Roseman.

WILLIAM W. PHELPS, Chaplain.

And are now ready to proceed to the business of the session.

Respectfully, your obedt. servant,
ORSON PRATT, Sen., Speaker.

THOS. BULLOCK, Chief Clerk."

"GENTLEMEN:—Your Resolution adjourning and convening the Legislative Assembly, has been unanimously concurred in by the House.

Respectfully, &c.,
ORSON PRATT, Sen."

On motion of Councilor Carrington, the Council adjourned to meet in the State House at 3 o'clock, p.m., to-morrow.

Minutes read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, County Court House.

G. S. L. City, U. T., Monday, Dec. 8, 1862, 12 m.

The members elect of the House of Representatives of the Legislative Assembly of the Territory of Utah convened in the County Court House, pursuant to law.

The House was called to order by Mr. Robert L. Campbell, Assistant Clerk of the former house.

On motion of Mr. Rockwood, Hon. John Taylor was elected Speaker, pro tem.

On motion of Mr. Long, Mr. Thomas Bullock was elected Clerk, pro tem.

On motion of Mr. Farr, Mr. Robert L. Campbell was elected Assistant Clerk, pro tem.

On motion of Mr. Rockwood, Mr. James D. Ross was elected Sergeant-at-Arms, pro tem.

Mr. Rockwood moved that the Speaker appoint a committee to examine the credentials of the members elect.

The Speaker, pro tem, appointed Messrs. Rockwood and Pfatt said committee.

Mr. Rockwood, of the committee on credentials, reported that the following named members elect were legally entitled to seats in the House of Representatives of the Legislative Assembly of the Territory of Utah during the session of 1862-3:

John Taylor, Hiram B. Clawson, Edwin D. Woolley, Joseph A. Yeung, Albert P. Rockwood and John V. Long, from Great Salt Lake county.

Albert K. Thurber, Lorenzo H. Hatch and Aaron Johnson, from Utah county.

John Stoker and Judson L. Stoddard, from Davis and Morgan counties.

Lorin Farr and Thomas Dunn, from Weber county.

Jonathan C. Wright, from Box Elder county.

Peter Maughan and William B. Preston, from Cache county.

Eli B. Kelsey, from Tooele county.

Timothy B. Foote, from Juab county.

Reddick N. Allred and Madison D. Hambleton, from San Pete county.

Thomas Callister, from Millard county.

Amasa M. Lyman, from Beaver county.

Silas S. Smith, from Iron county.

Orson Pratt, Sen., from Washington county.

George W. Bean, from Wasatch county.

Thomas Rhoads, from Summit and Green River counties.

Mr. Long moved that the report of the Committee be accepted and the members elect be qualified. Seconded and carried.

Mr. Clawson moved that a committee be appointed to wait upon his honor, Chief Justice Kinney, and request his attendance in the House for the purpose of administering the oath of office to the members elect. Seconded and carried.

Whereupon the Speaker appointed Messrs. Clawson and Young said Committee.

Mr. Clawson, in behalf of committee appointed to wait on Judge Kinney, reported that they had waited upon His Honor, and that he would soon be in attendance to qualify the members.

Judge John F. Kinney was introduced to the House, and qualified the members elect by counties.

On motion of Mr. Farr, the House proceeded to a permanent organization by electing the following officers:

ORSON PRATT, Sen., Speaker.

THOMAS BULLOCK, Chief Clerk.

ROBERT L. CAMPBELL, Assistant-Clerk.

JAMES D. ROSS, Sergeant-at-Arms.

JAMES URE, Messenger.

JAMES S. BROWN, Foreman.

WILLIAM W. PHELPS, Chaplain.

To whom, individually, Judge Kinney duly administered the oath of office.

Prayer by the Chaplain.

The following message from the Council was received and read:

"GENTLEMEN:—The Council having assembled and organized in their chamber, beg respectfully to notify you that they are now ready for business."

The following message was also received:

"GENTLEMEN:—The accompanying 'Resolution adjourning and convening the Legislative Assembly of the Territory of Utah,' having been adopted by the Council, is now respectfully submitted for your concurrence."

Said Resolution was read, and

On motion of Mr. Long, the House concurred in the adoption thereof.

The minutes were called for, read, amended and

On motion of Mr. Thurber, accepted.

On motion of Mr. Clawson, the House adjourned to meet in the State House to-morrow at 3 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 9, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 9, 1862. 3 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Harrington, the freedom of the Council Chamber was extended, during the present session, to His Excellency Governor Young, Hon. H. C. Kimball, Hon. Frank Fuller, Secretary of the Territory; the Chief Justice and Associate Justices of the Territory; Ex-Governor Doty, Superintendent of Indian Affairs; Isaac L. Gibbs, Esq., U. S. Marshal; Hosea Stout, Esq., District Attorney; J. C. Little, Esq., Assessor, and R. T. Burton, Esq., Collector of Internal Revenue; the Probate Judges of the Territory; Col. P. Edward Connor, Commanding California Volunteers in Utah and the Mayor and Common Council of Great Salt Lake City.

On motion of Councilor Smith, the House was requested to meet the Council in Joint Session in the Council Chamber forthwith for the election of a Public Printer.

[See Joint Session Minutes.]

On the Joint Session dissolving, the Council again resumed its sitting.

Roll called. Quorum present.

Prayer by the Chaplain.

The minutes were read and accepted, and,

On motion of Councilor Benson, the Council adjourned till 1 o'clock, p.m., to-morrow.

Benediction by the Chaplain.

JOINT SESSION.

COUNCIL CHAMBER,
G. S. L. City, Dec. 9, 1862. 4 30 p.m. }

Pursuant to previous arrangement, the Assembly met in Joint Session.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief-Clerk of the House called the House roll. Quorum present.

Prayer by the Chaplain of the House.

The President declared the Joint Session open and ready for business.

On motion of Councilor Carrington, Elias Smith, Esq., was elected Public Printer.

On motion of Councilor Richards, seventy-five copies of the names and residences of the members and officers and the standing committees of both houses, and the same number of the daily minutes were ordered to be printed for the use of the members and officers of the present session.

The minutes were read and accepted.

On motion of Councilor Carrington, the Joint Session adjourned to meet in the Representatives' Hall at 1.30 p.m. to-morrow.

Benediction by the Chaplain of the Council.

HOUSE.

REPRESENTATIVES' HALL, State House, }
G. S. L. City, Dec. 9, 1862, 3 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker appointed the following

Standing Committees of the House:

On Judiciary: Lorin Farr, John Taylor, Jonathan C. Wright, Aaron Johnson, Albert P. Rockwood.

On Claims and Appropriations: Hiram B. Clawson, Edwin D. Woolley, Albert P. Rockwood.

On Petitions and Memorials: Amasa M. Lyman, Joseph A. Young, John V. Long.

On Revenue: Albert K. Thurber, Jonathan C. Wright, Peter Maughan, Thomas Callister.

On Elections: Silas S. Smith, Judson L. Stoddard, Eli B. Kelsey, Thomas Dunn.

On Counties: Peter Maughan, Thomas Dunn, Madison D. Hambleton, Timothy B. Foote.

On Roads, Bridges, Ferries and Kanyons: Albert P. Rockwood, William B. Preston, Thomas Rhoads, Reddick N. Allred.

On Education: John Taylor, Jonathan C. Wright, Albert K. Thurber, John V. Long.

On Engrossing: John V. Long, Lorin Farr, George W. Bean.

On Printing: Joseph A. Young, Hiram B. Clawson, Thomas Callister, George W. Bean.

On Agriculture, Trade and Manufactures: Edwin D. Woolley, Timothy B. Foote, John Stoker, Eli B. Kelsey.

On Militia: Amasa M. Lyman, Albert P. Rockwood, Thomas Callister, Hiram B. Clawson.

On Incorporations: Jonathan C. Wright, John Stoker, Judson L. Stoddard, William B. Preston.

On Library: Lorenzo H. Hatch, Thomas Rhoads, Peter Maughan, Madison D. Hambleton.

On Public Domain and School Lands: Aaron Johnson, Amasa M. Lyman, Silas S. Smith, Reddick N. Allred, Joseph A. Young.

On Penitentiary: Edwin D. Woolley, Lorenzo H. Hatch, Judson L. Stoddard.

A message from the Council was received and read, informing the House that the Resolution adjourning the Legislative Assembly to the State House had been approved.

Mr. Long moved that the freedom of the House be extended to his Honor, Secretary Frank Fuller, their Honors, the Judges of the Supreme Court, the Superintendent of Indian Affairs, and the U. S. Marshal of the Territory; also to Prests. Brigham Young and Heber C. Kimball, the ex-members of the Legislative Assembly, the Hon. Elias Smith, Probate Judge of Great Salt Lake county, and the Mayor of Great Salt Lake City. Seconded and carried.

The following communication was received and read:

"You are respectfully notified that the Council request you to meet with them in joint session in the Representatives' Hall forthwith, for the election of a Public Printer."

On motion of Mr. Long, a communication was sent to the Council, informing them of the concurrence of the House in their request for a joint session; but suggesting that the Council Chamber was the more commodious and convenient room for joint session.

A message from the Council concurring with the request of the

House in holding joint session in the Council Chamber was received and read.

Whereupon the House repaired to the Council Chamber to meet in joint session.

(See joint session minutes.)

Upon dissolution of the joint session, the House resumed their sitting.

Minutes were read and approved.

On motion of Mr. Long, the House adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

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WEDNESDAY, DECEMBER 10, 1862.

JOINT SESSION.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 10, 1862. 1.30 p.m.

Pursuant to adjournment of the 9th, the Assembly met in joint session in the Representatives' Hall.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief Clerk of the House called the House roll. Quorum present.

Prayer by the Chaplain of the Council.

The President declared the joint session open and ready for business.

On motion of Councilor Carrington, the Sergeant-at-Arms of the Council was instructed to request the Hon. Frank Fuller, Secretary of State, to make arrangements to have the "Flag of the Union" unfurled from the State House flag-staff during the hours this Legislative Assembly, or either branch thereof, may be in session.

P. Edward Connor, Colonel Commanding the Military District of Utah, being present, was introduced by the President of the Assembly.

Mr. Long moved that the freedom of the Assembly be tendered to Colonel P. Edward Connor, during the present session. Seconded and carried.

The minutes were read and accepted, and,
On motion of Councilor Richards, the joint session was dissolved.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 10, 1862. 3.35 p.m. }

On the joint session arising, the Council repaired to their Chamber.

Roll called. Quorum present.

The President nominated the following as Standing Committees for the present session;

Standing Committees of the Council.

On Judiciary: Albert Carrington, L. E. Harrington, Geo. A. Smith and Orson Hyde.

On Claims and Appropriations: James W. Cummings, W. Woodruff and Lorenzo Snow.

On Petitions and Memorials: Geo. A. Smith, F. D. Richards, O. Hyde and E. T. Benson.

On Revenue: W. Woodruff, L. E. Harrington and John W. Hess.

On Elections: Ezra T. Benson, Wm. J. Cox and Lorenzo Snow.

On Counties: F. D. Richards, John W. Hess, Jas. W. Cummings and A. Carrington.

On Roads, Bridges, Ferries and Kanyons: Orson Hyde, Geo. A. Smith, Daniel Spencer and Leonard E. Harrington.

On Education: Lorenzo Snow, Orson Hyde, F. D. Richards and Albert Carrington.

On Engrossing: Orson Hyde, Albert Carrington and J. W. Cummings.

On Printing: Wilford Woodruff, E. T. Benson and L. E. Harrington.

On Agriculture, Trade and Manufactures: W. Woodruff, L. E. Harrington, Daniel Spencer and John W. Hess.

On Militia: F. D. Richards, Orson Hyde and Wm. J. Cox.

On Incorporations: Lorenzo Snow, J. W. Cummings and George A. Smith.

On Library: E. T. Benson and W. Woodruff.

On Public Domain and School Lands: A. Carrington, Lorenzo Snow, J. W. Cummings and W. J. Cox.

On Penitentiary: Ezra T. Benson, Daniel Spencer and L. E. Harrington.

The minutes being called for, were read and accepted.

On motion of Councilor Smith, the Council adjourned till 1 p.m. on Friday.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 10, 1862, 1 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The House went into joint session.

(See joint session minutes.)

Upon joint session dissolving, the House resumed its sitting.

On motion of Mr. Long, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 11, 1862.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 11, 1862, 2 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Clayton, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

FRIDAY, DECEMBER 12, 1862.

COUNCIL.COUNCIL CHAMBER,
G. S. L. City, Dec. 12, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following response to note of invitation was received and read to the Council:

"CAMP DOUGLAS, U. T., Dec. 11, 1862.

SIR:—

I have the honor to acknowledge receipt of your note of 9th inst. I will cheerfully avail myself of the kind invitation tendered, at such times as my duties will permit.

I have the honor to remain, very respectfully,

Your obedient servant,

P. EDW. CONNOR.

DANIEL H. WELLS, Esq.,

President of Legislative Council of Utah Territory"

On motion of Councilor Richards, the Council adjourned till Monday at 1 o'clock, p.m.

Benediction by the Chaplain.

HOUSE.REPRESENTATIVES' HALL,
G. S. L. City, U.T., Dec. 12, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Long, the House adjourned till Monday, at 1 p.m.

Benediction by the Chaplain.

MONDAY, DECEMBER 15, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 15, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Richards, the Act of Congress entitled "An Act donating Public Lands to the several States and Territories, which may provide Colleges for the benefit of Agriculture and the Mechanic Arts," approved July 2, 1862, was submitted to the attention of the Committee on Agriculture, Trade and Manufactures, with instruction to report thereon at an early day by Bill or otherwise, as they shall deem expedient.

Minutes read and accepted.

On motion of Councilor Benson, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 15, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communications from the Directors of the Penitentiary was received, read, referred to the Committee on Penitentiary, and ordered to be printed with the minutes:

DIRECTOR'S OFFICE,
G. S. L. City, Dec. 10, 1862.

HON. ORSON PRATT AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—In compliance with an Act of the Legislative Assembly of the Territory of Utah, approved Jan. 20, 1862, inclosed you will find a brief report of the condition of the Utah Penitentiary,

the number of convicts, their condition, when, for what, and how long sentenced, specifying how many Territorial, the fiscal affairs; also the avails arising from the labor of convicts and an approximate estimate of the means necessary to defray expenses for the ensuing year.

We have the honor to be, very respectfully,

Your obedient servants,

FERAMORE LITTLE,
FREDERICK KESLER,
E. R. YOUNG.

MR. SPEAKER AND HOUSE OF REPRESENTATIVES.

GENTLEMEN:—The cells and outer walls of the Utah Penitentiary are in a dilapidated state, and, in our opinion, are not in a condition for the safe keeping of convicts.

At the date of our last report, there were six Territorial prisoners in the Utah Penitentiary; viz., William Riley Green, sentenced for larceny; term expired April 19, 1862. John Laird, sentenced for larceny; term expired May 9, 1862. Deles M. Gipson, under sentence for murder, escaped May 24; brought back dead, July 3, 1862. John Ormond, under sentence for an assault with intent to kill; pardoned by His Excellency Governor Harding, Oct. 4, 1862. Charles Manhard, under sentence for robbery, escaped May 24, 1862, and is still at large. Truelove Manhard, under sentence for robbery, escaped May 24, 1862; brought back July 11, 1862. Alfred Higgins, committed March 15, 1862, for larceny, for the term of 18 months; escaped May 1, 1862; reported killed, by officers in pursuit, on Bear river. Wm. Eccles, committed March 8, 1862, for larceny, for the term of 2 years; escaped May 1, 1862; reported killed, by officers in pursuit, on Bear river. John H. Winslow, committed March 15, for larceny, for the term of 2 years. Henry Angles, committed March 8, 1862, for 3 years, for larceny; escaped May 24, was returned July 11; again escaped Aug. 13; is yet at large. Isaac Neibaur, committed March 20, 1862, for the term of 15 months, for larceny; pardoned by His Excellency Governor Harding, Sep. 19, 1862. Wilford Luce, committed March 20, 1862, for the term of 12 months, for larceny; pardoned by His Excellency Governor Harding. John M. Luce, committed March 20, for the term of six months, for larceny. George Wood, committed Oct. 2, for murder, sentenced for life. Also two Indians, placed in charge for safe keeping by the U.S. Marshal, awaiting trial before the District Court. These last named are in the Penitentiary at the expense of the United States.

At this date there remains four Territorial prisoners in the U. T. Penitentiary. There has been considerable sickness among the convicts during the past year.

Amount drawn in favor of James A. Little, Warden, for Penitentiary purposes from Dec. 18, 1861 to Feb. 1, 1862	\$752 75
Amount of appropriation on hand then, as shown by our last report	734 89
Amount over drawn	17 86
Amount drawn in favor of A. P. Rockwood for Penitentiary purposes, to date	1,062 42
Amount of appropriation for 1862	1,500 00
Balance of appropriation not used	\$419 73
Amount due for labor of convicts, as per Warden's report	\$407 50
Probable amount of appropriation required for Penitentiary purposes for the ensuing year	\$2,000 00

We deem it unnecessary to add any more to this report, and therefore respectfully submit it, together with the report furnished us by the Warden, for your consideration.

FERAMORZ LITTLE,
FREDERICK KESLER,
E. R. YOUNG.

WARDEN'S OFFICE, PENITENTIARY,
G. S. L. County, Dec. 8, 1862.

TO MESSRS. F. LITTLE, F. KESLER AND E. R. YOUNG: DIRECTORS OF THE UTAH PENITENTIARY:

GENTLEMEN:--I herewith submit you a report of the expenditures in the several Departments of the Utah Penitentiary from the 28th day of February to the 1st of December, 1862, inclusive, also an account of bills receivable and bills payable, together with a general statement of facts you may need to aid you in making your report to the Legislative Assembly, as contemplated by law.

Very respectfully,

A. P. ROCKWOOD,
Warden, Utah Penitentiary.

	Expenditure.	Amount on hand.
Amounts expended in Office Department - - - - -	\$4 0	\$100 00
Loss and wear of tools - - - - -	35 12	84 30
Wear in service of Cooking Utensils - - - - -	4 10	129 29
" " Furniture - - - - -	10 75	159 34
Amount expended for Guard Department - - - - -	592 60	21 75
Loss and wear, Bedding Department - - - - -	40 00	67 20
Professional Services -- Medicine and Hospital - - - - -	65 89	4 76
Expenditure for shoes - - - - -	64 44	
Repairs and Improvements - - - - -	88 50	88 50
Amount expended for Clothing - - - - -	192 56	
Amount consumed in Fuel - - - - -	205 00	65 00
Supplies consumed - - - - -	391 65	263 59
Material on hand for manufacturing and manufactured articles - - - - -		191 58
Total	\$1,695 50	\$1,175 28
Deduct amount received and due for labor of convicts - - - - -	1,172 75	
Nett expense of Institution, except amount due for Warden's services	\$522 75	
Total amount of moveable property on hand - - - - -		\$1,086 78
Add repairs and improvements - - - - -		88 50
Total		\$1,175 28

BILLS RECEIVABLE.

Amount shown due from U. S., as per Ledger, expenses incurred on U. S. Convict for 1860 - - - - -	\$752 28
Balance due from Alex. McRae, drawn from P. K. Dotson, U. S. Marshal, and not accounted for in his settlement - - - - -	152 00
Amount due from Daniel Carns, drawn from P. K. Dotson, U. S. Marshal, for board of U. S. convict during the McRae administration in 1860 - - - - -	60 00
Due from D. H. Wells for labor of convicts - - - - -	28 00
" Henson and Wright - - - - -	3 00
" Alexander Neibaur - - - - -	57 00
" James Luce - - - - -	4 00
" B. Stringham - - - - -	77 00

Labor, &c., on Territorial Roads	258 50
Due from Burt for rent	50
Due from U. S. for keeping convicts (2) 2 days each, Nov. 29 and 30	10 00
Total amount of bills receivable	\$1,362 25

BILLS PAYABLE.

To B. Young, Trustee-in-Trust, for Lumber, 1856	\$53 00
Little & Decker, Lumber and Wood, 1862	1,18 13
Derrick & Davis (Smithing)	1 00
H. S. Beattie, (amount paid to Guard)	15 98
E. R. Young	5 69
B. Young, Clothing	15 83
Dr. Anderson, Professional Services	35 00
Total amount of bills receivable	\$241 63
Excess of bills receivable over and above bills payable	\$1,137 62
Amount of moveable property brought forward	1,175 28
Total amount of property	\$2,312 90

I have drawn the following orders on the Directors:

Feb. 18.	No. 1.	Favor of Richd. Martin, for Guard service	\$46 75
March 3.	" 2.	" Derrick & Davis, Repairing Cook Stove	27 67
May 14.	" 3.	" David Burnett, Guard	88 00
Feb. 1.	" 4.	" A. P. Rockwood, Penitentiary purposes	100 00
March 9.	" 5.	" " " "	100 00
" 29.	" 6.	" " " "	100 00
April 28.	" 7.	" " " "	200 00
Sep. 8.	" 8.	" " " "	400 00

There remains unexpended of the last Draft, \$263 09

There were six Territorial convicts in the Penitentiary when I entered upon the duties of my office, as Warden, on the 22d January, 1862; viz., William Riley Green, under sentence for larceny; term expired April 19. In prison

John Laird, Jun., under sentence of Larceny; term expired, May 3, In prison	108 days.
Delos M. Gipson, under sentence for murder, escaped May 24; brought back dead, July 3. In prison	122 days.
John Ormond, under sentence for assault with intent to kill; par- doned by His Excellency Governor Harding, Oct. 4. In pri- son	255 days.
Charles Manhard, under sentence for robbery, escaped May 24; last heard of in Colorado Territory	122 days.
Truelove Manhard, under sentence for robbery, escaped May 24; brought back July 11. In prison	264 days.
Alfred Higgins, committed March 15, for larceny, for the term of of 18 months, escaped May 1; reported killed, by officers in pur- suit, on Bear river. In prison	47 days.
William Eccles, committed March 8, for larceny, for the term of 2 years, escaped May 1; reported killed, by officers in pursuit, on Bear river. In prison	53 days.
John H. Winslow, committed March 15, for larceny, for 2 years. In prison	262 days.
Henry Angles, committed March 8th, for 3 years, for larceny, es- caped May 24, was returned July 11; again escaped Aug. 13; is yet at large. Last heard of in California. In prison	110 days.
Isaac Neibaur, committed March 20, for the term of 15 months, for larceny, pardoned by His Excellency Gov. Harding, Sep. 19. In prison	183 days.
Wilford Luce, committed March 20, for 1 year, for larceny. In prison	255 days.
John M. Luce, committed March 20, for 6 months, for larceny. In prison	181 days.
George Wood, committed Oct. 2, term of sentence, for murder, life. In prison	59 days.
Curly and Shaharrook, two Indians, committed for safe keeping, awaiting trial before the District Court, at the expense of the United States	each, 2 days.

Total amount of days - - - 2,112

Average - - - 303) 2112(7
7 less 303

Several of the convicts have had disabilities rendering them unfit for manual labor, viz., Ormond, Luce and Wood. Delos M. Gipson, Truelove Manhard and some others have been more or less sickly. On the 27th ult., John H. Winslow had his leg broken by

a wagon load of wood passing over it. I have engaged the professional services of Dr. Anderson for the case; the patient is doing as well as can reasonably be expected.

I have appointed a number of deputies as circumstances required from time to time, to assist me in carrying out the sentence of the convicts. None of these have any claims upon the Territory for their services.

Gentlemen:—If any further information or explanation is necessary to give you a more perfect understanding, the books, papers and the services of your humble servant are at your command.

A. P. ROCKWOOD, Warden.

Mr. Long presented a bill entitled, "An Act concerning Justices of the Peace," which was read, and,

On motion of Mr. Wright, referred to the committee on judiciary.

Mr. Woolley presented a bill entitled, "An Act for the establishment and regulation of estray pounds, and for other purposes," which was read, and,

On motion of Mr. Taylor, referred to the Committee on Counties.

On motion of Mr. Maughan, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

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TUESDAY, DECEMBER 16, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 16, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Hyde presented a petition from the County Court of Sanpete County, praying for an appropriation for the benefit of said county, which was read, and,

On motion of Councilor Cummings, was referred to the Committee on Claims and Appropriations.

The following message was received from the House:

"The House of Representatives would be pleased to meet with

the Council in joint session immediately, in the Representatives' Hall.

Respectfully,

ORSON PRATT, Sen., Speaker."

Councilor Carrington moved that a Committee be appointed to meet with a like Committee of the House, to consider the subject of meeting in joint session, at such time as will best suit the convenience of both branches of the Assembly. Whereupon, the President appointed Councilors Carrington and Benson said Committee, and the House was notified accordingly.

Minutes read and accepted.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 16, 1862. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long presented a bill entitled, "An Act constituting county jails, prisons, and for other purposes," which was read, and,

On motion of Mr. Preston, referred to the Committee on Penitentiary.

Mr. Bean presented a bill entitled, "An Act repealing an act in relation to Territorial, county and city taxes, which was read, and,

On motion of Mr. Farr, referred to the Committee on Revenue.

On motion of Mr. Hatch, a request was sent to the Council, to meet the House in joint session in the Representatives' Hall, immediately.

The following was received:

"GENTLEMEN:--In reply to your invitation to meet in joint session, the Council respectfully say that they are not prepared to meet you in joint session at present; but, by their unanimous vote, have proposed a joint Committee to confer upon the subject of a joint session to suit the convenience of both branches of the Assembly.

Councilors Carrington and Benson have been appointed for that purpose, the Committee on behalf of the Council.

DANIEL H. WELLS, President of Council."

On motion of Mr. Long, the Speaker appointed Messrs. Taylor and Hatch said joint Committee on the part of the House.

Mr. Bean presented, "Memorial to Congress for new mail routes through Wasatch, Summit and Morgan counties," which was read, and,

On motion of Mr. Farr, was referred to the Committee on Petitions and Memorials.

On motion of Mr. Allred, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

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WEDNESDAY, DECEMBER 17, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 17, 1862. 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Richards, the Committee on Public Domain and School lands were instructed to take into consideration the Act of Congress entitled, "An Act to secure Homesteads to actual settlers on the Public Domain," and report at an early date as to the advantages that may accrue to the inhabitants of this Territory from the provisions of said act; and whether any legislation is deemed necessary to avail the people of those advantages, and if so, what?

Seconded by E. T. Benson.

Councilor Hyde presented (C. F., No. 1), "An Act authorising the issuing of Executions against judgment debtors, non-residents of the County," which was read, and,

On motion of Councilor Harrington, was referred to the Committee on judiciary.

On motion of Councilor Smith, the Committee on Roads, Bridges, Ferries and Canyons were instructed to take into consideration the propriety of an appropriation for the construction of a road along the Rio Virgin and Ash creek, from the city of St. George to Kanarah.

Minutes were read and accepted.

On motion of Councilor Richards, the Council adjourned till 1 p.m. to morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 17, 1862. 1 p.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Wright presented, "Petition of La Fayette Granger, for ferries over Black and Ham's forks of Green river," which was read, and,

On motion of Mr. Long, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

Mr. Kelsey presented, Memorial for mail route from Great Salt Lake city to Toole city, via E. T. city, &c.," which was read, and

On motion of Mr. Preston, was referred to the Committee on petitions and memorials.

Mr. Long presented a bill entitled, "An Act prescribing the manner of assessing and collecting Territorial and county taxes," which was read, and,

On motion of Mr. Allred, referred to the Committee on Revenue.

Mr. Thurber moved that the Committee on Roads, Bridges, &c., be instructed to take into consideration the condition of the State road across Provo river in Utah county, and recommend such measures for the reconstruction of the bridge and repairing of the road, as their judgment may suggest.

Seconded and carried.

The minutes were called for, read and accepted:

On motion of Mr. Thurber, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 18, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 18, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Carrington, Chairman of the joint committee appointed on the 16th to meet with a like committee from the House, to arrange about a joint session, reported that they had arranged to meet in joint session at 2 p.m. to-day in the Council Chamber.

On motion of Councilor Benson, the report was received and the House notified accordingly.

Councilor Cummings presented, Petition from Thomas J. Patten and 72 others, praying for the enactment of a law prohibiting the cultivation of broom, chocolate or other plants that mix with Sorghum or Imphee sugar cane, which was read, and,

On motion of Councilor Richards, was referred to the Committee on Agriculture, Trade and Manufactures.

Councilor Cummings presented, Petition from the Provo Canyon Road Company, praying for the relinquishment of the Territorial claims to Provo Canyon, which was read, and,

On motion of Councilor Cummings, was referred to the Committee on Roads, Bridges, Ferries and Kanyons.

The following message was received from the House:

"HON. D. H. WELLS, PRESIDENT:

SIR:--The House of Representatives have agreed to meet the Council in joint session in the Council Chamber at 2 p.m., according to arrangement.

Very respectfully,

ORSON PRATT, Speaker."

The Assembly met in joint session.

[See joint session minutes.]

On the adjournment of the joint session, the Council again resumed its sitting.

Roll called. Quorum present.

The minutes were read and accepted.

On motion of Councilor Smith, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

JOINT SESSION.

COUNCIL CHAMBER,
Dec. 18, 1862. 2 p.m. }

The Assembly met in joint session pursuant to arrangement.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief-Clerk of the House called the House roll. Quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session duly opened and ready for business.

The minutes of the former joint sessions were submitted, read and amended.

Minutes read and accepted.

On motion of Councilor Richards, the joint session adjourned till 2 p. m. to-morrow.

Benediction by the Chaplain of the House.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 18, 1862. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber presented, "Petition from sixty-four citizens of Spanish Fork city," which was read, and,

On motion of Mr. Rockwood, referred to the Committee on Agriculture, Trade and Manufactures.

The following was received and read:

"GENTLEMEN:--Your Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the motion of Mr. Thurber, instructing us to take into consideration the condition of the State road crossing Provo river, in Utah county, report, that having learned the present condition of the road and approximate amount that has been, and yet can be, raised annually for road purposes, consider that Utah county is abundantly able to put and keep in repair all the

roads in that county; therefore we recommend that the County Court take measures to reconstruct the bridge, and repair the road as contemplated in the motion of Mr. Thurber.

A. P. Rockwood, Chairman."

Mr. Taylor, in behalf of joint committee appointed on the 16th, reported that said joint committee have agreed upon 2 p.m. to-day to meet in joint session.

The following was received:

"You are respectfully requested to notify the House that the Council have approved of the arrangement of the joint committee for the meeting of a joint session in their Chamber at 2 p.m., and will be pleased there and then to meet you.

Very respectfully,

DANIEL H. WELLS, President."

On motion of Mr. Long, the House concurred in the arrangement for joint session, and the Council were notified accordingly.

Pending debate on Mr. Rockwood's report, the time for joint session arrived when the House retired to the Council Chamber.

[See joint session minutes.]

Upon dissolution of joint session, the House resumed its sitting.

On motion of Mr. Preston, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

FRIDAY, DECEMBER 19, 1862.

COUNCIL.

COUNCIL CHAMBER,

G. S. L. City, Dec. 19, 1862. } 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Smith, the Committee on Roads, Bridges and Ferries was instructed to inquire into the propriety of building a new bridge across the Sevier river in Juab county; the present one being so much out of repair as to render it unsafe for crossing.

[See joint session minutes.]

The joint session being dissolved, the Council again resumed its session.

The minutes were read and accepted, and

On motion of Councilor Hess, the Council adjourned till Tuesday the 23d, at 1 p.m.

Benediction by the Chaplain.

JOINT SESSION.

COUNCIL CHAMBER,
G. S. L. City, Dec. 19, 1862. 2 p.m. }

Pursuant to adjournment of the 18th, the Assembly met in joint session.

The Speaker of the House presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief-Clerk of the House called the House roll. Quorum present.

Prayer by the Chaplain of the Council.

The President declared the joint session open and ready for business. There being no business,

The minutes were read and accepted.

On motion of Councilor Smith, the joint session was dissolved.

Benediction by the Chaplain of the House.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 19, 1862. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood's report of yesterday was read, and,

On motion of Mr. Bean, referred back to the Committee reporting the same.

Mr. Farr moved that the Committee on Roads, Bridges, &c., be instructed to inquire into the condition of the bridges on the Territorial road across the Weber and Ogden rivers and the road lead-

ing across the bottoms, also the Territorial bridge at East Weber, and make a report at an early date. Seconded and carried.

The hour for joint session having arrived, the House retired to the Council Chamber.

[See joint session minutes.]

Upon dissolution of the joint session, the House resumed its sitting.

On motion of Mr. Hatch, the House adjourned till Tuesday at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 23, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 23, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff presented the following report:

"Your Committee to whom was referred the subject of Lands appropriated by Congress for the benefit of Agriculture and the Mechanic Arts, would report that we have examined the Act upon this subject, and find that Territories are not referred to at all in the body of the act; and, as we are soon expected to become a State, the Committee would ask the privilege of delaying the time of presenting a Bill upon this subject until we are admitted into the family of States."

On motion of Councilor Richards, the Committee on Roads, Bridges, Ferries and Kanyons were instructed to inquire into and report as to the expediency of making an appropriation for the improvement of North Temple street, and the road continuing west from Jordan Bridge, and, if expedient, whether such appropriation should be conditioned with similar appropriations from the county and city of Great Salt Lake.

The minutes were read and accepted.

On motion of Councilor Hyde, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 23, 1862. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented a bill entitled, "An Act in relation to attachments and garnishments," which was read, and,

On motion of Mr. Kelsey, was referred to the Committee on Judiciary.

Mr. Rockwood moved, that the Committee on Judiciary be instructed to bring in a bill assigning the Judges to the respective judicial districts.

The Speaker instructed said Committee accordingly.

On motion of Mr. Rockwood, the Council concurring, seventy-five copies of the Auditor's and Treasurer's report, also the report of the Director's of the Penitentiary, the Council concurring, were ordered to be printed for the use of both Houses of the Assembly.

AUDITOR'S REPORT.

TO HIS EXCELLENCY STEPHEN S. HARDING, GOVERNOR OF UTAH TERRITORY:

SIR:—I beg leave herewith to present the annual report of the financial affairs of the Territory of Utah, as appears on the books in this office, and which, on account of circumstances over which the Auditor had no control, will necessarily be brief.

By reference to appended Statement "A," it will be seen that the aggregate amount of taxable property assessed within the Territory for the year 1862 is four millions, seven hundred and seventy-nine thousand, five hundred and eighteen dollars; and the same statement shows a tax due the Territorial treasury for the current year, estimated at one per cent, of forty-seven thousand, seven hundred and ninety-five \$47,795.18

From which will have to be deducted for cost of
assessing and collecting, and remittances by
County courts, at least twelve per cent, is

\$5,735.42

Would leave a probable nett revenue of \$42,059.76

The number of Auditor's warrants issued from No.

vember 1st, 1861, to October 31st, 1862, as per statement "B," is	7,779 12
To which we have to add warrants in circulation October 31st, 1861, per former report	9,260 90

Total warrants afloat during the year 1861-2	<u>\$17,040 02</u>
--	--------------------

There has been Auditor's warrants redeemed at the treasury during the current year, as per Treasurer's report, to say	<u>13,545 6</u>
---	-----------------

Which amount deducted from \$17,040 02 — amount of warrants in circulation during the year, leaves a balance of warrants circulating October 31st, 1862, of	3,494 83
---	----------

In statement "C," is shown amounts payable in appropriations standing on Auditor's books, to the credit of sundry accounts, an aggregate of	9,732 23
---	----------

To which two amounts, if we add amount of direct tax assessed by the United States and assumed by the Territorial Legislature, January 17th, 1862, to say	<u>26,982 00</u>
---	------------------

We have a Territorial Liability of	40,199 31
------------------------------------	-----------

To pay which we have	
Balance in Treasury, as per Treasurer's report	5,439 68
Uncollected tax of 1862	35,873 53
Balance due on tax of 1861	8,096 22
Balance due on tax of 1860	1,202 67
	<u>50,612 10</u>

Excess of assets over liabilities is	<u>\$10,412 79</u>
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Respectfully, your obedt. servant,
WILLIAM CLAYTON,
 Auditor of Public Accounts,
 for Utah Territory.

C. S. L. City, November 19, 1862.

A

*Statement of the Value of Property assessed in the Territory, as reported by
County Clerks, together with amount of Territorial tax at one per cent.*

County.	Value of Property.	Amount of Tax.
Great Salt Lake	\$1,912,066 00	\$19,120 66
Utah	699,525 00	6,995 25
Davis	453,118 00	4,531 18
Weber	293,478 00	2,934 78
Sanpete	290,467 00	2,904 67
Cache	278,446 00	2,784 46
Tooele	170,494 00	1,704 94
Box Elder	(estimated) 150,000 00	1,500 00
Washington	132,789 00	1,327 89
Millard	103,774 00	1,037 74
Juab	82,397 00	823 97
Iron	(estimated) 80,000 00	800 00
Beaver	70,277 00	702 77
Summit	62,687 00	626 87
	<hr/>	<hr/>
	\$4,779,518 00	\$47,795 18

B

*Statement of Auditor's Warrants issued during the year commencing Nov. 1st,
1861, and ending October 31st, 1862.*

ON PENITENTIARY ACCOUNT:

To Jas. A. Little, ex-warden	\$1,623 06	
To A. P. Rockwood, warden	897 37	
On Appropriation to A. McRae	143 37	
	<hr/>	2,663 80

ON ACCOUNT OF ROADS AND BRIDGES:

Jordan Bridge	547 96
Weber Bridge	25 00
Beaver Bridge and Road	300 00
Sevier Bridge	100 00
Provo Canyon Road, third annual appropriation	1,261 33
Road from Box Elder to Cache	500 00
Road from Santa Clara to Beaver dams	200 00
Appropriation for relief of G. S. L. County	1,000 00

Theodore McKean, Territorial Road Commissioner - - - - -	803 50	
J. W. Fox, Surveyor-General - - - - -	89 97	
	<hr/>	4,325 76

**ON ACCOUNT OF AGRICULTURAL
AND MANUFACTURING ASSOCIA-
TION:**

Deseret Agricultural and Manufac- turing Association - - - - -		109 95
---	--	--------

INCIDENTAL EXPENSES:

Treasurer's salary, 1861 - - - - -	200 00	
Auditor's salary, 1882 - - - - -	200 00	
Superintendent of Meteorological ob- servations - - - - -	105 70	
Stationery for Auditor's office - - - - -	30 00	
Appropriation to John T. Caine - - - - -	114 00	
" " Thomas Bullock - - - - -	16 05	
" " R. L. Campbell - - - - -	2 50	
Balance due to A. Calkin - - - - -	11 36	
	<hr/>	679 61
		<hr/>
		\$7,779 13

C.

Amounts payable on Appropriations heretofore made:

On account Penitentiary, to A. P.		
Rockwood, warden - - - - -	\$602 63	
" " J. A. Little, ex-do. - - - - -	145 44	
" " H. S. Beatie, clerk - - - - -	100 00	
" " A McRae, ex-wardn - - - - -	82 77	
	<hr/>	930 84
Weber Bridge - - - - -	4,278 20	
Jordan Bridge - - - - -	1,282 79	
Sevier Bridge - - - - -	22 60	
Provo Canyon Road third appropriation - - - - -	1,897 94	
Road from Box Elder to Cache - - - - -	250 00	
	<hr/>	7,731 43
Balance due Deseret Agricultural and Manufacturing Association - - - - -		186 88
" " J. W. Fox, Surveyor-General - - - - -		349 03

"	"	"	W. W. Phelps, Superintendent	
			Meteorological observations	94 30
"	"	"	Thomas Bullock - - -	171 95
"	"	"	R. L. Campbell - - -	9 50
"			Amount due Treasurer, salary for 1862	200 00
"	"	"	John Jacques - - -	16 00
"	"	"	Adam Spiers - - -	9 00
"	"	"	A. Williams - - -	6 00
"	"	"	E. Eldredge - - -	2 00
Balance to credit of incidental expenses, unappropriated - - -				18 00
				<hr/> \$9,722 93 <hr/>

—o—

TREASURER'S REPORT.

TREASURER'S OFFICE,
Great Salt Lake City, Nov. 20, 1862. }

HIS EXCELLENCY S. S. HARDING,

GOVERNOR OF THE TERRITORY OF UTAH:

SIR:—I have the honor to herewith inclose my annual report for the fiscal year ending October 31, 1862.

The Assessors and Collectors having failed to make their returns in the proper time, in consequence of the great scarcity of money till very recently, is the reason of my delay in submitting my report to you. I trust that the delay will not seriously inconvenience you.

Your most obedient servant,
DAVID O. CALDER.

TREASURER'S OFFICE,
Great Salt Lake City, Nov. 19, 1862 }

TO HIS EXCELLENCY STEPHEN S. HARDING,
GOVERNOR OF UTAH.

SIR:—I have the honor of presenting the following report of receipts and disbursements of the Treasury for the fiscal year ending October 31, 1862.

Balance in the Treasury on the 1st November, 1861, as per my last annual report, as follows:

Bills receivable - - - \$855 18

Wheat	- - - - -	753 30	
Cash	- - - - -	08	
			<u>\$1,608 46</u>
Total amount of receipts from Nov. 1st, 1861, to October 31st, 1862			<u>47,576 76</u>
			<u>\$12,985 32</u>
Total amount of disbursements from Nov. 1st, 1861, to October 31st, 1862			<u>13,545 64</u>
Balance in the Treasury on October 31st, 1862, as follows:			
Bills receivable	- - - - -	855 18	
Cash	- - - - -	4,584 50	
			<u>5,439 68</u>

SUMMARY

Of Receipts and Disbursements for the fiscal year ending October 31st, 1862.

RECEIPTS.

Amounts received from the Assessors and Collectors of the following Counties for Taxes due in the years designated:

Counties.	1857..	1859,	1860.	1861.	1862.	TOTAL.
Beaver		25 78	34 40	44 57		104 75
Box Elder				82 40	55 02	137 42
Cedar				250 00		250 00
Cache				922 07		922 07
Davis			218 90	1756 00		1974 90
G. S. Lake			900 00	2373 15	4989 65	8262 80
Iron			109 00	33 70	60 00	202 70
Juab				80 00		80 00
Millard	15 00	50 00	25 00	273 50	90 00	453 50
Sanpete			330 42			330 42
Summit				38 50		38 50
Shanbip			25 00	17 00		42 00
Tooele		97 00	7 62	651 77		756 39
Utah			306 81	1833 75	865 00	3005 56
Washington				388 50	126 55	515 05
Weber				201 00		201 00
	<u>15 00</u>	<u>172 78</u>	<u>1956 85</u>	<u>8945 91</u>	<u>6186 22</u>	<u>17276 76</u>

Total 17,276 76

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Amount received on account of Provo Canyon Road 100 00

Total amount of receipts	47,376 74
Balance in the Treasury, Nov. 1st, 1861	1,608 56
	<hr/>
	\$18,985 32

DISBURSEMENTS.

Auditor's warrants redeemed at the	
Treasury with Cash	884 98
Wheat	753 30
Auditor's warrants taken on taxes	11,907 36
	<hr/>
	13,545 64

Balance in the Treasury on the 31st Oct., as before stated	\$5,439 68
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Your most obedient servant,
DAVID O. CALDER,
Territorial Treasurer,

The minutes were called for, read and accepted.
On motion of Mr. Long, the House adjourned till to-morrow at 11 a.m.
Benediction by the Chaplain.

—o—

WEDNESDAY, DECEMBER 24, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 24, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"The House of Representatives have passed the inclosed bill (F. No. 7) entitled, "An Act assigning the Chief Justice and two Associate Justices to their several districts, which is herewith respectfully sent to your honorable body for concurrence."

The bill was read, and,

On motion of Councilor Carrington, was referred to the Committee on Judiciary.

Minutes read and accepted.

On motion of Councilor Benson, adjourned till Monday, the 29th inst., at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 24, 1862. 11 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Farr presented a bill entitled, "An Act assigning the Chief-Justice and two Associate-Justices to their several districts," which,

On motion of Mr. Long, was read the first time.

On motion of Mr. Stoker, said bill was read the second time.

On motion of Mr. Rhoads, said bill was read the third time.

Said Bill (H. F., 7) "An Act assigning the Chief-Justice and two Associate-Justices to their several districts," was read by its title and so passed.

Mr. Long moved, that a special Committee of two be appointed on the part of the House to act with a like Committee of the Council to examine the vouchers for disbursements made by the Territorial Treasurer; said Committee to have authority to make such disposition of the redeemed vouchers of the past year as their judgment may dictate. Seconded and carried.

The Speaker appointed Messrs. Long and Rockwood said Committee.

Mr. Farr, Chairman of Committee on Judiciary, to whom was referred (H. F. 1) "An Act concerning Justices of the Peace," after giving said Bill due consideration, reported the same back with a recommendation for the passage of the same.

On motion of Mr. Rockwood, the report was received, and the bill laid on the table.

The minutes were called for, read and approved.

On motion of Mr. the House adjourned till Saturday, at 1 p. m.

Benediction by the Chaplain.

SATURDAY, DECEMBER 27, 1862.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 27, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Chief-Clerk.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Rockwood, Hon. Amasa M. Lyman was called to the chair.

The following was received and read:

"GENTLEMEN:—I have just received intelligence that one of my family at Tooele city is sick and not expected to live; and I have been sent for in haste to attend. Trusting that you will, under these considerations, justify my absence for a few days.

I am, gentlemen, your most obedient,

ORSON PRATT, Sen."

On motion of Mr. Rockwood, the excuse of Speaker Pratt was accepted, and leave of absence granted.

The following was received and read:

"GENTLEMEN:—Your Committee to whom was referred the Memorial asking for the establishment of a Mail Route from Great Salt Lake city to Tooele city, passing through intermediate places, as named in Memorial. Your Committee having considered said Memorial, return the same, recommending its adoption.

A. M. LYMAN, Chairman."

Said Memorial was read, and,

On motion of Mr. Taylor, adopted.

The minutes were called for, read and approved.

On motion of Mr. Rockwood, the House adjourned till Monday at 1 p.m.

Benediction by the Chaplain.

MONDAY, DECEMBER 29, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 29, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Cummings presented, Petition from E. W. East, Clerk of Great Salt Lake County Court, praying for an appropriation for election and other expenses, which was read, and,

On motion of Councilor Smith, was referred to the Committee on Claims and Appropriations.

Councilor Smith reported, (C. F. No. 2) An Act amending "An Act to incorporate the city of St. George, in Washington county. Approved January 17, 1862;" which was read, and,

On motion of Councilor Spencer, was referred to the Committee on Incorporations.

Councilor Carrington reported, (C. F. No. 3) An Act for the regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic Messages, which was read, and,

On motion of Councilor Cummings, seventy-five copies of the bill were ordered to be printed.

The minutes were read and accepted, and,

On motion of Councilor Cummings, adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Dec. 29, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Chief-Clerk.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Thurber, Hon. John Taylor was called to the chair.

Mr. Long presented the following Petition, which was received and read:

"GENTLEMEN:—Your petitioner respectfully asks that you would instruct an appropriate Committee to take into consideration the accounts and claims for services, &c., as Warden, from the 21st of December last, and incorporate the amount found due me in the Territorial appropriation bill.

A. P. ROCKWOOD."

On motion of Mr. Thurber, said Petition was referred to the Committee on Claims and Appropriations.

The following was received and read:

"I move that the Committee on Revenue be instructed to make inquiry of the Treasurer, or others, in relation to bills receivable, amounting to \$855 18, as has been annually reported by the Treasurer for several years past, from whom due the amount of each indebtedness, what rate of interest, if any, nature of the indebtedness, under whose administration was it contracted, and the authority for so doing, and report by resolution, or otherwise, at an early day.

R. N. ALLRED."

Seconded and carried.

The Speaker instructed the Committee on Revenue accordingly.

Mr. Rockwood moved, that the Committee on Agriculture, Trade and Manufactures be instructed to take into consideration the propriety of encouraging by Legislative enactment the growth of a superior quality of broom corn. Seconded and carried.

Mr. Rockwood, Chairman of Committee on Roads, Bridges and Ferries to whom was referred the Petition of LaFayette Granger, reported the accompanying bill, entitled, "An Act granting unto La Fayette Granger the right to erect and control ferries across Black's and Ham's forks of Green river," which,

On motion of Mr. Clawson, passed to its first reading.

Mr. Stoddard presented, "Petition of citizens in Morgan county for appropriation to make a road up Weber river," which was read, and,

On motion of Mr. Hambleton, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

The minutes were called for, read and approved.

On motion of Mr. Woolley, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 30, 1862.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Dec. 30, 1862. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"The House of Representatives have adopted the inclosed Memorial for Mail route, which is now sent to your honorable body for concurrence."

The "Memorial for a Mail route from G. S. L. City to Tooele" was read, and,

On motion of Councilor Smith, the Council concurred.

Councilor Carrington reported, (C. F. No. 4) "An Act to provide for the organization of Telegraph Companies," which was read, and,

On motion of Councilor Smith, seventy-five copies of the bill were ordered to be printed.

Minutes were read and accepted.

On motion of Councilor Smith, adjourned till Tuesday, the 6th January, 1863, at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 30, 1862, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Chief-Clerk.

Roll called. Quorum present.

On motion of Mr. Rockwood, Hon. Amasa M. Lyman was elected Speaker, pro tem.

Prayer by the Chaplain.

A communication from the Council was received and read, informing the House of their concurrence in the "Memorial to Congress for a weekly Mail from Great Salt Lake City to Tooele."

The following Report of Theodore McKean, Esq., Territorial Road Commissioner, was presented by Mr. Rockwood, and read:

TO THE HON. THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

GENTLEMEN:—I have the honor to present for your consideration my annual report of the amount expended for the benefit and improvement of the bridges and roads throughout the Territory during the past year. The floods of last spring being so destructive required an expenditure of means upon my own responsibility for the preservation of public property and for the accommodation of the traveling public.

One of the abutments of the Jordan Bridge was injured considerably, and required an outlay for its preservation and for the benefit of the State road west of the same, of one hundred and seventy-nine dollars, forty-five cents. The road afterwards became impassible, and donations were made for its improvement amounting to about three thousand dollars; which has been principally expended, and the estimated cost for its completion and the erection of a slough bridge is two thousand dollars.

The bridge across the Weber river was so damaged that it was rendered impassible, and I have recently contracted with parties to repair the same at a cost to the Territory of two hundred and twenty-five dollars.

There was an appropriation made by the Legislative Assembly at the last session, of one hundred dollars for repairing the Sevier Bridge; that amount has been expended during the past summer, together with one hundred and thirty-four dollars, sixty-seven cents. It is now in a passible condition, but will require additional repairs before the high waters of the coming spring.

The Great Salt Lake city and Weber Valley road was also damaged to that extent that it was impassible; consequently I was obliged to expend for its improvement, three thousand, six hundred and sixty-five dollars, one cent. The road at the present time from the mouth of Big Canyon to the head of Silver Creek is in a much better condition than heretofore; and from the head of Silver Creek to its mouth it will require extensive improvements during the coming year.

I therefore respectfully ask that appropriations be made to cancel the amount expended on the Jordan, Weber and Sevier Bridges and the Great Salt Lake city and Weber coal road, amounting in the aggregate to four thousand, two hundred and four dollars, thirteen cents.

Respectfully,

THEODORE MCKEAN,

Territorial Road Commissioner.

The following message was received from the Council, and read:

"The Council have passed a vote to adjourn till Tuesday, the 6th of January, 1863, at 1 p.m., provided the House concur."

On motion of Mr. Allred, the House concurred with the Council in their vote to adjourn till Tuesday, Jan. 6th, 1863, at 1 p.m.

Benediction by the Chaplain.

TUESDAY, JANUARY 6, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 6, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"On the 23d of Dec., the House of Representatives voted that seventy-five copies of the Auditor's and Treasurer's reports, also the reports of the Director's of the Penitentiary be printed for the use of both Houses of the Assembly, and respectfully ask your concurrence."

On motion of Councilor Spencer, the Council concurred.

Councilor-Hyde presented, Memorial from 76 citizens of Goshen, praying for Mail facilities from Payson or Fort Crittenden in Utah county to Goshen, which was read, and,

On motion of Councilor Richards, was referred to the Committee on Petitions and Memorials.

Councilor Woodruff, chairman of the Committee on Revenue, reported,

(C. F., No. 5) An Act in relation to the Territorial Tax, which was read, and,

On motion of Councilor Harrington, passed its first reading.

The bill was taken up on its second reading; pending which the minutes were called for, read and accepted.

On motion of Councilor Woodruff, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 6, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Preston presented, "Petition of Nelson Empy for extension of grant of ferries over Bear river and bridge over Malad river," which was read, and,

On motion of Mr. Maughan, referred to the Committee on Roads, Bridges, Ferries and Canyons.

Mr. Taylor moved that the oldest bill on the table be taken up. Seconded and carried.

(H. F. 1) "An Act concerning Justices of the Peace" was taken up on its second reading, by sections.

Pending discussion on said bill, a message was received from the Council concurring in the House vote of Dec. 23d, for the printing of seventy-five copies each of the reports of the Territorial Auditor and Treasurer; also the report of the Directors of the Penitentiary.

On motion of Mr. Woolley, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 7, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 7, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

(C. F. No. 5) "An Act in relation to the Territorial tax" was called for, and,

On motion of Councilor Carrington, was postponed till Friday next.

Councilor Hyde presented, claim of A. Miner, Esq., for services rendered in the 3d District Court as prosecuting Attorney for the Territory, which was read, and,

On motion of Councilor Richards, was referred to the Committee on Claims and Appropriations.

(C. F. No. 3) was called for and read the first time, and,

On motion of Councilor Hyde, was taken up on its second reading, and,

On motion of Councilor Carrington, the 22d section was amended, and,

On motion of Councilor Carrington, passed its third reading by its title, and was sent to the House for concurrence.

The minutes were read and accepted.

On motion of Councilor Richards, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, U.T., Jan. 7, 1863, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The petition of Lewis Robison and Joshua Terry, for the right to establish and control a ferry over Green river, and to erect a bridge over said river, was read, and,

On motion of Mr. Wright, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

Mr. Rockwood, chairman of Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the Petition of Mr. Empey, praying for an extension of the charter to control a ferry across Bear river, reported further legislation thereon unnecessary.

On motion of Mr. Wright, the report was adopted, and the Committee discharged from further duties on that subject.

The following was received and read:

GENTLEMEN:—Your Committee on Roads, Bridges and Ferries to whom was referred the report of the Territorial road Commissioner, have taken the subject of the report into consideration and are prepared to report progress, and recommend that the Commit-

tee on Claims and Appropriations be instructed to incorporate in the Territorial Appropriation Bill the following sums, to wit,

For repairs on Jordan Bridge, G. S. L. county	-	\$179 45
" Weber " Weber county	-	225 00
" Sevier " Juab county	-	134 67
" of G. S. L. City and Weber valley road	-	3665 01

\$4,204 13

Payable on the order of the Territorial road Commissioner.

A. P. Rockwood, Chairman."

On motion of Mr. Preston, the Committee on Claims were instructed to incorporate in the Territorial appropriation bill the respective items recommended in Mr. Rockwood's report.

Mr. Maughan moved, that the Committee on Claims be instructed to take into consideration that part of the Warden's report submitted to us by the Directors of the Penitentiary which refers to the balance due from Alex. McRae, drawn from P. K. Dotson, U. S. Marshal, and reported not accounted for in settlement; and report at an early day by Resolution or otherwise. Seconded and carried.

The oldest bill being called for, (H. F. 1) "An Act concerning Justices of the Peace," pending the discussion of which the House adjourned yesterday, was taken up, and the remaining sections of the bill read, discussed, amended and laid on the table.

Mr. Preston moved, that the Committee on Roads, Bridges and Ferries be instructed to inquire into the propriety of making an appropriation of five hundred dollars of the delinquent Territorial taxes of Cache valley, to be used under the direction of the County Court of said county, for the repair of the county road across the Logan bottoms in said county. Seconded and carried.

(H. F. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries across Black and Ham's forks of Green river," was taken up and read the second time by sections, and,

On motion of Mr. Long, the further consideration of said bill was postponed until to-morrow.

The minutes were called for, read and accepted.

On motion of Mr. Preston, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 8, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 8, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"The House have passed the accompanying bill, (H. F. No. 1) "An Act concerning Justices of the Peace in civil cases," and respectfully forward the same for your action."

(H. F. No. 1) "An Act concerning Justices of the Peace in civil cases," was read, and,

On motion of Councilor Cummings, was referred to the Committee on Judiciary.

(C. F. No. 4) "An Act to provide for the organization of Telegraph Companies" being called for, was read the first time, and

On motion of Councilor Richards, was taken up on its second reading, and,

On motion of Councilor Carrington, was read the third time by its title and so passed, and was sent to the House for concurrence.

Councilor Carrington, chairman of the Committee on Judiciary, to whom was referred

(H. F. No. 7) "An Act assigning the Chief Justice and two Associate-Justices to their several Districts," reported back the same amended, and recommended its passage, and,

On motion of Councilor Benson, was read the first time, and,

On motion of Councilor Hess, was read the second time, and,

On motion of Councilor Richards, was read the third time by its title, and so passed, and was sent to the House for their concurrence in the amendments.

On motion of Councilor Carrington, a special Committee of one was appointed on the part of the Council to act with a like Committee of two from the House, who were appointed on the 24th ult., to examine the vouchers for disbursements made by the Territorial Treasurer; said Committee to have authority to make such disposition of the redeemed vouchers of the past year as their judgment may dictate.

The President appointed Councilor Carrington said Committee.

The minutes were read and accepted.

On motion of Councilor Richards, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 8, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long presented, "Petition of W. A. Carter, for the right to erect a toll bridge over Ham's fork of Green river," which was read, and,

On motion of Mr. Kelsey, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

A message from the Council was received and read, announcing their passage of (C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages."

Said bill was read by its title and laid on the table to come up in its order.

The following communication was received and read:

"TO THE HON. THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

GENTLEMEN:—Since my report of the 29th ult., a bill has been presented amounting to one hundred and twenty dollars, for rock used at the Weber bridge during the high waters of last spring, and I would most respectfully recommend that a further appropriation be made to cancel that amount.

The Warden of the Penitentiary has expended under my direction two hundred and fifty-eight dollars, fifty cents, in labor by the convicts for the benefit of the roads; and I would also recommend that the same be applied to his credit in his settlement with the Territory.

Respectfully,
THEODORE MCKEAN,
Road Commissioner."

On motion of Mr. Maughan; said communication was referred to the Committee on Claims and Appropriations, with instructions to incorporate the same in the Territorial Appropriation bill.

Mr. Rockwood presented, bill of Theodore McKean, amounting to \$307, which was read, and,

On motion of Mr. Farr, referred to the Committee on Claims and Appropriations.

(H. F. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries over Black and Ham's forks of Green river," pending the consideration of which the House adjourned yesterday, was taken up for further consideration, and,

On motion of Mr. Long, referred back to the Committee on Roads, Bridges, Ferries and Canyons.

(H. F. 1) "An Act concerning Justices of the Peace in civil cases," was taken up, and,

On motion of Mr. Maughan, passed its third reading by its title.

(C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages," which was taken up and passed its first reading.

Mr. Long moved that the Committee on Elections be instructed to confer with the like Committee of the Council on the subject of the election of such officers as are made elective by the joint vote of this Legislative Assembly, and report it at an early day. Seconded and carried.

Mr. Foot moved, that the Committee on Agriculture, Trade and Manufactures be instructed to take into consideration the rate of toll to be taken for grinding grain in the Territory of Utah. Seconded and carried.

(C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages," was taken up on its second reading, by sections, and pending the discussion of the same the following message was received from the Council:

"GENTLEMEN:—The Council have passed the accompanying bill, (C. F. No. 4) which is respectfully sent for your concurrence.

(H. F. No. 7) has been under consideration, and with amendments in the title and body of the bill, has passed the Council, and is now returned for your concurrence in the amendments.

Very respectfully,

D. H. WELLS,

President of Council."

(C. F. 4) "An Act to provide for the organization of Telegraph companies" was read by its title, and laid on the table to come up in its order.

(H. F. 7) "An Act assigning the two Associate-Justices to their several Districts," was read by its title, and laid on the table to come up in its order.

The minutes were called for, read and accepted.

On motion of Mr. Long, the House adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 9, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 9, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A petition was presented in behalf of John Spriggs and Wm. H. Kimball, praying for the sum of one thousand dollars, as a reward for opening a coal mine on Chalk creek. Said petition was accompanied by the Territorial Surveyor-General's certificate as to the distance, also the warrant of His Excellency Acting-Governor, Francis H. Wootton, on the Territorial Treasurer for said amount, which were read, and,

On motion of Councilor Smith, was referred to the Committee on Claims and Appropriations.

Councilor Hyde, chairman of the Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the petition of the Committee of the Provo Canyon road company, reported unfavorably on the same, and,

On motion of Councilor Woodruff, the Committee was released from further duties on the subject.

Councilor Hyde presented, Petition from C. G. Edwards and 92 others, praying for a mitigation of Territorial tax in Fort Ephraim, Sanpete county, which was read, and,

On motion of Councilor Richards, was referred to the Committee on Revenue.

Councilor Benson, chairman of the Committee on Elections, made the following report of the number and kind of officers to be elected by the joint vote of the Legislative Assembly: Digitized by Google

One chancellor and twelve regents of the Deseret University;
 One treasurer of the University;
 One Territorial treasurer;
 One auditor of public accounts;
 One Territorial road commissioner;
 One Territorial marshal;
 One attorney-general;
 One district-attorney for the first judicial district;
 " " second "
 One Territorial surveyor-general;
 One librarian;
 One recorder of marks and brands;
 One warden of the Penitentiary;
 Three directors "
 One sealer of weights and measures;
 One probate judge and one notary public for Washington county;
 " " " " Iron "
 " " " " Beaver "
 " " " " Millard "
 " " " " Sanpeto "
 " " " " Juab "
 " " " " Utah "
 " " two notaries public for G. S. Lake "
 " " one notary " Davis "
 " " " " Weber "
 " " " " Box Elder "
 " " " " Cache "
 " " " " Green River "
 " " " " Summit "
 " " " " Tooele "
 " " " " Wasatch "
 " " " " Morgan "

On motion of Councilor Harrington, the report was received, and laid on the table to come up in joint session when called for.

Councilor Benson moved, that the Council meet in joint session on Tuesday at 1.30 p.m., the House concurring, for the purpose of electing the before named officers. The House was notified accordingly.

Councilor Carrington, chairman of the Committee on Judiciary, to whom was referred

(C. F. No. 1) "An Act authorizing the issuing of Executions against Judgment Debtors, non-residents of the county," reported the same back, recommending its passage.

On motion of Councilor Smith, the bill was read the first time, and,

On motion of Councilor Woodruff, was read the second time, and,
On motion of Councilor Smith, was read the third time by its title, and so passed, and was sent to the House for concurrence.

(C. F. No. 5) "An Act in relation to the Territorial tax" was called for, on its second reading, and,

On motion of Councilor Harrington, was read the third time by its title, and so passed, and was sent to the House for concurrence

The following message was received from the House:

"GENTLEMEN:—The House have concurred in your amendments to H. F. 7) "An Act assigning the two Associate-Justices to their several districts," and have passed the following bills, which are respectfully forwarded for your action, viz.:

(H. F. 9) "An Act appropriating money to Cache county, for road purposes."

(H. F. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries over Black and Ham's forks of Green river."

(H. F. No. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries over Black and Ham's forks of Green river," was read, and,

On motion of Councilor Carrington, was referred to the Committee on Roads, Bridges, Ferries and Kanyons.

(H. F. 9) "An Act appropriating money to Cache county for road purposes," which was read, pending which

The minutes were read and accepted, and,

On motion of Councilor Smith, the Council adjourned till 1 p.m. on Monday.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 9, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Hambleton presented, "Petition of J. F. Hutchinson and 146 others, citizens of Fort Gunnison, San Pete county, for an appropriation for the purpose of building a county bridge across San Pitch river," which was read, and,

On motion of Mr. Hambleton, referred to the Committee on Roads Bridges, Ferries and Kanyons.

Mr. Hambleton presented, "Petition of H. H. Kearns and 69 others, citizens of Gunnison, San Pete county, praying for some law to be passed to enable them to pay their tax in something else than by cash," which was read, and,

On motion of Mr. Farr, referred to the Committee on Revenue.

Mr. Hatch presented the following:

"TO THE HON. COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON PUBLIC LIBRARY:

GENTLEMEN:—I submit to your inspection the following list of books in Library, viz:

In the Library, books according to catalogue	2,632
Books out on loan to readers	293
Tracts, pamphlets, speeches, &c., with and without numbers	388
Senate, Assembly, Congressional Globes, Executive Documents, Laws of States, reports, messages &c. . . .	418
Annals of Congress, Senate reports	87
President's Message, American State papers, Finance reports, Geological surveys, Military reports, &c. . . .	329
Donations (carried) as per report (Dec. 16, 1861.)	109

Total number of books 4,246

During the past year no donations from private individuals have been made, except one volume by Mrs. Rogers, from Iowa.

329 volumes have been, at sundry times, sent by the Secretary of the Interior, through the Post Office, from 1861 and 1862, some without circulars, others without wrappers.

Upwards of 100 volumes remain unbound, as per report last year, and others for repair.

Yours respectfully to command,

JOHN LYON, Librarian."

Mr. Rockwood, chairman of Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the Petition of W. A. Carter, to control a toll bridge across Ham's fork of Green river, reported adversely to said Petition.

On motion of Mr. Preston, said Committee were discharged from further duties on that subject.

Mr. Rockwood, chairman of Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the motion of Mr. Preston, in relation to an appropriation for road purposes, reported the accompanying Act, entitled,

"An Act appropriating money to Cache county for road purposes."

Said bill was read, and,

On motion of Mr. Long, passed to its second reading.

Said bill was read by sections, and,

On motion of Mr. Long, passed its third reading, and,

On motion of Mr. Rockwood, ordered to be sent to the Council for their concurrence.

Mr. Rockwood, chairman of Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred back,

(H. F. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries across Black and Ham's forks of Green river," returned said bill, which was read, and,

On motion of Mr. Maughan, passed to its second reading.

On motion of Mr. Preston, said bill passed its third reading, and was ordered to be sent to the Council for concurrence.

Mr. Woolley, chairman of Committee on Agriculture, Trade and Manufactures, to whom was referred the motion of Mr. Foote, instructing said Committee to take into consideration the propriety of adopting measures for equalizing the rates of toll on grain for the grinding of the same; reported that, in their judgment, no action of the Legislative Assembly will regulate the rate of toll so well as the influence of competition, unless your honorable body can first make all millers honest men; therefore, deem that further action on the bill is uncalled for.

On motion of Mr. Preston, the committee were relieved from further duties on that subject.

Mr. Long moved, that the Council be requested to meet the House in joint session at their earliest convenience, the time to be designated by them, for the purpose of electing such officers as are made elective by the joint vote of this Legislative Assembly. Seconded and carried.

Mr. Allred moved, that the Committee on Revenue be instructed to take into consideration the propriety of reducing the territorial tax, and also to provide for county and city revenue, and report by bill or otherwise at an early day. Seconded and carried.

Mr. Bean presented, "Petition of J. W. Witt and others, citizens of Wasatch county," which was read, and on motion of Mr. Taylor, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

The following was received and read:

"GENTLEMEN:--Your Committee on Agriculture, Trade and Manufactures, to whom was referred the petition of William Robertson and 63 others, praying you to adopt some measure for the preservation of the seed of the Sorghum and Imphee canes in its purity.

Also a motion of Hon. A. P. Rockwood, for the preservation of the Broom corn in its purity;

Beg leave to report that in their opinion some action should be taken by this Assembly to accomplish results so favorable to the vital interest of the Territory; we therefore present for your consideration a bill entitled;

"An Act to provide for the preservation, in purity, of the seed of the Sorghum and Imphee cane, also the seed of the Broom corn."

E. D. WOOLLEY, Chairman."

"(H. F. 10) "An Act to provide for the preservation, in purity of the seed of the Sorghum and Imphee canes, also the seed of the Broom corn," was read, and,

On motion of Mr. Clawson, laid on the table to come up in its order.

(H. F. 7) "An Act assigning the two Associate-Justices to their several Districts," was taken up and read as amended by the Council, and

On motion of Mr. Thurber, the amendments were concurred in.

(C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages" was taken up on its second reading, and,

On motion of Mr. Long, referred to a special Committee,

Whereupon, the Speaker appointed Messrs. Long, Johnson and Wright said Committee, with instructions to report on Monday next.

(C. F. 4) "An Act to provide for the organization of Telegraph companies" was taken up on its second reading by sections, and,

On motion of Mr. Taylor, was referred to the special Committee, to whom was referred (C. F. 3) and to which special Committee Mr. Rockwood was added on the consideration of this bill.

The following was received and read:

"GENTLEMEN:--The Council has voted to meet you in their chamber on Tuesday, the 13th inst, at 1½ p.m. in joint session, provided you agree thereto, for the purpose of electing the officers made elective by the Assembly.

Very respectfully,

D. H. WELLS,

President of Council."

On motion of Mr. Rockwood, the House concurred in the wishes of the Council for joint session.

The following message from the Council was received and read:

"The Council has passed the accompanying bill (C. F. No. 1) which is now respectfully submitted for your concurrence."

(C. F. 1) "An Act authorizing the issuing of Executions against Judgment Debtors, non-residents of the county," was taken up and read, and laid on the table to come up in its order.

The following message from the Council was received and read:

"The accompanying bill (C. F. No. 5) has passed the Council, and is now respectfully submitted for your concurrence."

(C. F. 5) "An Act in relation to the Territorial tax" was taken up and read, and,

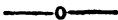
On motion of Mr. Taylor, referred to the Committee on Revenue.

The Speaker read memoranda of the business of the House in the hands of the Committees, and requested them to report at an early day.

The minutes were called for, read and approved.

On motion of Mr. Taylor, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.



SATURDAY, JANUARY 10, 1863.



HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 10, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Foote presented, "Petition from Juab county for an appropriation for road purposes," which was read, and,

On motion of Mr. Maughan, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

Mr. Bean presented, Report of Superintendent of Provo Canyon road, which was read, and,

On motion of Mr. Preston, referred to the Committee on Roads, Bridges, Ferries and Kanyons.

The following was received and read:

"GENTLEMEN:--Your Committee to whom was referred (C. F. No. 5) "An Act in relation to the Territorial tax," beg leave to report that they have considered the same, and report it back, recom-

mending its passage; and deem further legislation in relation to county or city taxes unnecessary.

A. K. THURBER,

Chairman of Committee on Revenue."

Said bill (C. F. No. 5) "An Act in relation to the Territorial tax" was laid on the table to come up in its order.

Mr. Hambleton presented, "An Act appropriating money to San Pete county, for road purposes," which was read, and,

On motion of Mr. Kelsey, referred to the Committee on Revenue.

Mr. Lyman, chairman of Committee on Petitions and Memorials, reported back Memorial for new Mail route through Wasatch, Summit and Morgan counties, with recommendation for the adoption thereof.

Said Memorial was read, and,

On motion of Mr. Thurber, adopted.

On motion of Mr. Rockwood, the presenter of "Petition of J. F. Hutchinson and 146 others, citizens of Fort Gunnison, San Pete county, for an appropriation for the purpose of building a county bridge across San Pitch river," had leave to withdraw the same.

(H. F. 10) "An Act to provide for the preservation, in purity, of the seed of the Sorghum and Imphee canes, also the seed of the Broom corn," was taken up on its second reading, and,

On motion of Mr. Preston, passed to its third reading.

Said bill was read by its title and so passed.

(C. F. 1) "An Act authorizing the issuing of Executions against Judgment Debtors, non-residents of the county," was taken up on its second reading, by sections, and,

On motion of Mr. Preston, passed to its third reading.

Said bill was read by its title, and so passed.

The following was received and read:

"GENTLEMEN--Your Committee to whom was referred (H. F. No. 6) "An Act entitled an act in relation to Attachments and Garnishments, having had the subject for some time under careful advisement, respectfully beg leave to report adversely to the passage of said Act, and recommend the following bill, entitled, "An Act regulating Writs of Attachments, Garnishments and Capias," to be adopted in lieu thereof

Very respectfully,

LORIN FARR,

Chairman of Committee on Judiciary."

Said bill, "An Act regulating writs of Attachments, Garnishments and Capias," was taken up and read, and,

On motion of Mr. Thurber, received in lieu of (H. F. 6), and laid on the table to come up in its order.

The minutes were called for, read and approved.

On motion of Mr. Taylor, the House adjourned till Monday at 1 p.m.

Benediction by the Chaplain.

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MONDAY, JANUARY 12, 1863,

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 12, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following messages were received from the House:

"The House of Representatives has concurred in your wish to meet them in joint session in your Chamber on Tuesday, the 13th inst., at 1½ p.m., for the purpose of electing the officers made elective by the Assembly."

"The House of Representatives has adopted the inclosed "Memorial for new Mail route through Wasatch, Summit and Morgan counties," which is herewith sent for your concurrence."

"They return (C. F. No. 1), "An Act authorizing the issuing of Executions against Judgment Debtors, non-residents of the county," with the 3d sec. stricken out. Do you concur?"

"The inclosed bill (H. F. 10) has passed the House, and is now sent for your concurrence."

(C. F. No. 1) "An Act authorizing the issuing of Executions against Judgment Debtors, non-residents of the county," was read, as amended, and,

On motion of Councilor Carrington, the Council concurred in the House amendments.

House "Memorial for new Mail route through Wasatch, Summit and Morgan counties" was read, and on motion of Councilor Harrington, was adopted.

(H. F. No. 10) "An Act to provide for the preservation, in purity, of the seed of the Sorghum and Imphee cane, also the seed of the Broom corn was read, and,

On motion of Councilor Harrington, was referred to the Committee on Agriculture, Trade and Manufactures.

(H. F. No. 9) "An Act appropriating money to Cache county for road purposes," was read the first time, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Smith, was referred to the Committee on Judiciary.

Councilor Snow, chairman of the Committee on Incorporations, to whom was referred (C. F. No. 2) "An Act to incorporate the city of St. George, in Washington county;" approved January 17, 1862, reported the same back with the title amended, substituting the words "supplementary to" for the word "amending" before the words "An Act to," which was read the first time, and,

On motion of Councilor Woodruff, was read the second time, and,

On motion of Councilor Smith, was read the third time by its title, and so passed, and was sent to the House for their concurrence.

Councilor Woodruff, chairman of the Committee on Revenue, to whom was referred the petition of sundry citizens of Fort Ephraim, Sanpete county, praying for a mitigation of taxes, reported adversely on the same.

Councilor Cummings, presented claim of Patrick Lynch, clerk of 3d District Court, for services in criminal cases arising under the laws of the Territory, which was read, and,

On motion of Councilor Hyde, the claim was referred to the Committee on Claims and Appropriations, with instructions to incorporate the same in the general appropriation bill, if found correct.

On motion of Councilor Hyde, the claim of A. Miner, Esq., was ordered to be incorporated in said appropriation bill, if found correct.

The minutes were read and accepted.

On motion of Councilor Woodruff, the Council adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 12, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

"GENTLEMEN:—Your Committee to whom was referred the petition of H. H. Kearnes and others of Gunnison, Sanpete county, praying for this Assembly to pass a law whereby they can pay their taxes in other means than cash, report adversely to granting said petition, as it would be an act of local Legislature which we would not be justified in adopting.

A. K. THURBER,

Chairman of Committee on Revenue."

On motion of Mr. Preston, the Committee on Revenue were released from further consideration of said subject.

The following was received and read:

"MAJORITY REPORT.

GENTLEMEN:—Your special Committee, to whom was referred (C. F. Nos. 3 & 4) have duly considered said bills, and respectfully report them back with the recommendation that the House pass them as they came from the Council, (Mr. Rockwood dissenting from this opinion,) with the exception of the following amendments, to wit:

That (C. F. No. 3) be amended by striking out the word "object" and inserting instead thereof the word "material," in line 2 of sec. 8; and that (C. F. No. 4) sec. 1, line 2, be amended by inserting after the word three, "two-thirds of whom shall be residents of this Territory."

Very respectfully,

J. V. LONG,

Chairman of special Committee."

The following was received and read:

"GENTLEMEN:—Your Committee on Roads, Bridges, &c., to whom was referred the report of the Superintendent of the Provo Canyon road, have taken it into consideration and recommend that the Committee on Claims and Appropriations be instructed to incorporate the sum of \$44 00 in the Territorial appropriation bill, payable to James W. Cummings, in consideration of material furnished and services rendered to date on the Provo Canyon road. We have also taken into consideration the petitions of the citizens of Juab county, praying for an appropriation to be expended in Salt creek Canyon, and report adversely to granting the petition.

A. P. ROCKWOOD, chairman."

On motion of Mr. Hambleton, the Committee on Claims were instructed accordingly, and the Committee on Roads, Bridges, Ferries and Canyons were relieved from further consideration of the Petition from Juab county.

The following was received and read:

"GENTLEMEN:--Your Committee, to whom was referred (H. F. No. 2) "An Act for the establishing and regulating Estray Pounds," &c., beg leave to report adversely to the passage of said bill,
PETER MAUGHAN, chairman of Committee on Counties."

On motion of Mr. Johnson, said Committee were relieved from further duties on the subject.

Mr. Johnson presented, "An Act changing the county seat of Washington county," which was read, and laid on the table to come up in its order.

(C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages" was called up on its second reading, by sections.

Pending the consideration of which, a message was received from the Council, announcing their concurrence in "Memorial for new Mail route through Wasatch, Summit and Morgan counties;" also in the House amendment to (C. F. 1).

Another message was received from the Council, announcing their passage of (C. F. 2) "An Act supplementary to an Act to incorporate the city of St. George in Washington county," approved Jan. 17, 1862.

On motion of Mr. Preston, (C. F. 3) "An Act for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages," passed its third reading by its title.

The minutes were called for, read and approved.

On motion of Mr. Wright, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

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TUESDAY, JANUARY 13, 1863.

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COUNCIL.

COUNCIL CHAMBER,
 G. S. L. City, Jan. 13, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"I herewith return you (C. F. 3) "An Act for the regulation of

the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages," having secs. 8, 9 & 10 amended by the House, and sec. 23 stricken out, [as amended in red ink in the printed copy herewith returned with your bill]. Do you concur with the amendments of the House of Representatives?"

The Council went into joint session.

[See Joint Session Minutes.]

On joint session dissolving, the Council resumed its session.

The following report was received from the Committee on Claims and Appropriations:

"GENTLEMEN:—The Committee on Claims and Appropriations, to whom was referred the petition of John Spriggs and William H. Kimball, asking for some measure to be adopted by this Legislative Assembly to enable them to draw from the Territorial treasury the sum of one thousand dollars as a reward for discovery and opening a coal mine in this Territory, in accordance with a Resolution of the Legislative Assembly of said Territory; approved Jan. 14, 1854. Having carefully investigated the claims set forth in said petition, and examined the accompanying documents, and from said documents and other testimony which was before said committee they do not consider the petitioners, John Spriggs and William H. Kimball, entitled to the reward authorized in the Resolution above referred to, and assign as reasons for their decision in the premises, the following:

First. That, according to the written testimony of Jesse W. Fox, Esq., Territorial Surveyor General, which accompanied the petition, the distance from Great Salt Lake city to said coal mine is forty-six miles, by the nearest practical route; and that the Resolution before referred to does not contemplate an air line, but the route by which said coal would have to be conveyed from the mine to the city; and the Resolution would be so construed by any reasonable person or court of justice.

Second. That, according to the best evidence your Committee could obtain, the coal discovered by your petitioners is of an inferior quality and not such as was contemplated by the Resolution aforesaid, and is considered dangerous of access. Consequently if said mine was within the limits provided by said Resolution, the parties discovering it would not be entitled to the bounty therein provided.

Therefore your Committee are unanimously of the opinion that no Executive in this Territory is authorized by the Resolution aforesaid to issue a warrant upon the treasurer in favor of said petitioners; and should he have the presumption to do so, it would be the duty of the treasurer to ignore the same.

Very respectfully, your obedient servant,

JAMES W. CUMMINGS,

Chairman of Committee on Claims and Appropriations.

On motion of Councilor Woodruff, the report was accepted, and the Committee discharged from further duty on the subject.

The following report was received from the Committee on Claims and Appropriations:

"GENTLEMEN:—The Committee on Claims and Appropriations, to whom was referred the petition of the select men of Sanpete county, for an appropriation to defray certain contingent expenses of the county and complete certain public buildings, have duly investigated the claims of said petitioners, and would most respectfully report adversely to any Legislation on the subject.

Your Committee have also examined the petition and bill for services rendered the county by E.W. East, Esq., clerk of the county court of Great Salt Lake county, and in the opinion of your Committee it is a county and not a Territorial matter, and would therefore report adversely to any Legislation on the subject.

Very respectfully, your obedient servant,

JAMES W. CUMMINGS,

Chairman of Committee on Claims and Appropriations."

On motion of Councilor Benson, the report was accepted and the Committee discharged from further duty on the subject.

[C. F. No. 3] "An Act for the regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages" was read as amended by the House, and the Council not concurring in all of said amendments.

On motion of Councilor Benson, a Committee of one was appointed on the part of the Council to meet with a like Committee from the House to consider the amendments in said bill.

The President appointed Councilor Carrington said Committee.

The following message was received from the House:

"GENTLEMEN:—The House of Representatives has concurred in your bill [C. F. 5] "An Act in relation to the Territorial tax," with the addition of sec. 3. Do you concur with this additional section?

I have appointed Mr. Farr a committee of one to confer with Councilor Carrington on the subject of the amendments in [C. F. No. 3]."

[C. F. No. 5] "An Act in relation to the Territorial Tax" was read as amended, and,

On motion of Councilor Carrington, the Council refused to concur in the amendments.

The following message was received from the House:

"The House have passed the accompanying bill, [H. F. 13] "An Act changing the county seat of Washington county," and respectfully submit the same for your action."

Said bill was read, and,
On motion of Councilor Woodruff, the Council concurred in said bill.

The conference committee reported back
[C. F. No. 3] "An Act for the regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of Telegraphic messages," with the amendments agreed upon them, and,

On motion of Councilor Richards, the amendments of said committee were agreed to, and the bill was ordered to be sent to the House for their concurrence.

The minutes were read and accepted.

On motion of Councilor Woodruff, the Council adjourned till 1 o'clock, p.m., to-morrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 13, 1863.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 13, 1863. 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A bill for stationery for the Territorial auditor's office, amounting to \$31 00, for the year 1863, was read, and,

On motion of Mr. Long, the Committee on Claims and Appropriations were instructed to incorporate the same in the Territorial appropriation bill.

Mr. Thurber, chairman of Committee on Revenue, to whom was referred (H. F. 11) "An Act appropriating money to Sanpete county for road purposes," reported adversely to the passage of the same.

On motion of Mr. Preston, the Committee was relieved from further duties on the subject.

(C. F. 5) "An Act in relation to the Territorial tax" was taken up on its second reading, by sections.

Pending the consideration of which, the house took a recess of one hour.

1 p.m.

House resumed its sitting.

Roll called. Quorum present.

The House repaired to the Council Chamber to meet in joint session.

[See joint session minutes.]

Upon dissolution of the joint session, the House resumed its sitting.

A message was received from the Governor, announcing his approval of the Act assigning the Associate-Justices of the U.S. to the first and second Districts in this Territory, and also a Memorial to Congress for the establishment of a post route from Provo city via intermediate points to Ogden city in this Territory.

(C. F. 5) "An Act in relation to the Territorial tax" was taken up and amended, and,

On motion of Mr. Long, passed to its third reading.

Said bill was read by its title and so passed.

(H. F. 12) "An Act regulating Writs of Attachments, Garnishments and Capias" was taken up on its second reading, by sections.

Pending the consideration of which, a message from the Council was received and read, announcing that Councilor Carrington was appointed a special Committee to confer with a similar Committee from the House, on the subject of amendments in the bill [C. F. 3]; the Council not having concurred in the proposed amendments of the House.

Mr. Farr moved, that a Committee of conference be appointed by the House on the consideration of [C. F. 3].

The Speaker appointed Mr. Farr said Committee.

[H. F. 13] "An Act changing the county seat of Washington county," was taken up on its second reading, and amended, and,

On motion of Mr. Kelsey passed to its third reading by its title.

Said bill was read by its title, and so passed.

[C. F. No. 4] "An Act to provide for the organization of Telegraph companies" was taken up on its second reading.

Pending the consideration of which, a message was received from the Council and read, informing the House of their non-concurrence in additional section to [C. F. No. 5].

On motion of Mr. Long, [C. F. 4] "An Act to provide for the organization of Telegraph companies" passed to its third reading by its title.

Said bill was read by its title, and so passed.

[C. F. 2] "An Act supplementary to an Act to incorporate the city of St. George, in Washington county; approved Jan: 17, 1862," was taken up and read.

The minutes were called for, read and approved.

On motion of Mr. Long, the House adjourned till 10 a.m. tomorrow.

Benediction by the Chaplain.

JOINT SESSION.

COUNCIL CHAMBER,
Jan. 13, 1863. 1½ p.m. }

The Legislative Assembly met in joint session according to previous agreement.

The President of the Council presiding.

Roll of Council called. Quorum present.

Roll of House called. Quorum present.

Prayer by the Chaplain of the House.

The President declared the joint session open and ready for the business before them, of electing the officers elective by the joint vote of the Assembly.

On motion of Councilor Benson, Albert Carrington was elected Chancellor of the University.

On motion of Councilor Woodruff, Isaac Groo was elected a Regent of the University.

On motion of Councilor Harrington, John V. Long was elected a Regent of the University.

On motion of Councilor Richards, George W. Moulsey was elected a Regent of the University.

On motion of Councilor Hess, T. B. H. Stenhouse was elected a Regent of the University.

On motion of Mr. Long, Karl G. Maeser was elected a Regent of the University.

On motion of Mr. Callister, Joseph A. Young was elected a Regent of the University.

On motion of Councilor Woodruff, Robert L. Campbell was elected a Regent of the University.

On motion of Councilor Carrington, Joseph W. Young was elected a Regent of the University.

On motion of Councilor Woodruff, H. I. Doremus was elected a Regent of the University.

On motion of Councilor Hess, William Eddington was elected a Regent of the University.

On motion of Councilor Benson, Thomas Bullock was elected a Regent of the University.

On motion of Councilor Hess, Samuel W. Richards was elected a Regent of the University.

On motion of Councilor Benson, Thomas W. Ellenbeck was elected Treasurer of the University.

On motion of Mr. Long, Robert L. Campbell was elected Superintendent of Common Schools.

On motion of Councilor Harrington, David O. Calder was elected Territorial Treasurer.

On motion of Councilor Hyde, William Clayton was elected Auditor of Public Accounts.

On motion of Mr. Thurber, Theodore McKean was elected Territorial Road Commissioner.

On motion of Councilor Benson, John D. T. McAllister was elected Territorial Marshal.

On motion of Mr. Long, S. M. Blair was elected Attorney-General.

On motion of Councilor Harrington, William Snow was elected District-Attorney for the First Judicial District.

On motion of Councilor Smith, Joseph L. Heywood was elected District-Attorney for the Second Judicial District.

On motion of Councilor Hess, Jesse W. Fox was elected Territorial Surveyor-General.

On motion of Mr. Hatch, John Lyon, Sen. was elected Librarian.

On motion of Councilor Hyde, William Clayton was elected Recorder of Marks and Brands.

On motion of Mr. Long, Frederick Kesler was elected a Director of the Penitentiary.

On motion of Mr. Rockwood, Feramor Little was elected a Director of the Penitentiary.

On motion of Mr. Rockwood, Ebenezer R. Young was elected a Director of the Penitentiary.

On motion of Mr. Wright, A. P. Rockwood was elected Warden of the Penitentiary.

On motion of Councilor Richards, Nathan Davis was elected sealer of Weights and Measures.

On motion of Councilor Benson, James D. McCullough was elected Probate Judge of Washington county.

On motion of Mr. Long, James G. Bleak was elected Notary Public for Washington county.

On motion of Councilor Woodruff, Silas S. Smith was elected Probate Judge of Iron county.

On motion of Councilor Richards, Wm. A. Carter was elected Probate Judge of Green River county.

On motion of Mr. Long, La Fayette Granger was elected Notary Public for Green River county.

On motion of Mr. Lyman, Calvin C. Pendleton was elected Notary Public for Iron county.

On motion of Mr. Lyman, Daniel M. Thomas was elected Probate Judge of Beaver county.

On motion of Councilor Cox, Nathan H. Carlow was elected Notary Public for Beaver county.

On motion of Mr. Callister, Thomas R. King was elected Probate Judge of Millard county.

On motion of Councilor Woodruff, Joseph E. Robinson was elected Notary Public for Millard county.

On motion of Councilor Hyde, John Eager was elected Probate Judge of Sanpete county.

On motion of Mr. Alfred, F. C. Robinson was elected Notary Public for Sanpete county.

On motion of Mr. Foot, Andrew Love was elected Probate Judge of Juab county.

On motion of Mr. Hambleton, Samuel Pitchforth was elected Notary Public for Juab county.

On motion of Mr. Johnson, Zerubbabel Snow was elected Probate Judge of Utah county.

On motion of Councilor Benson, Albert K. Thurber was elected Notary Public for Utah county.

On motion of Councilor Carrington, Elias Smith was elected Probate Judge of Great Salt Lake county.

On motion of Councilor Richards, John T. Caine was elected Notary Public for Great Salt Lake county.

On motion of Mr. Long, Wm. W. Phelps was elected Notary Public for Great Salt Lake county.

On motion of Councilor Hess, Thomas Grover was elected Probate Judge of Davis county.

On motion of Councilor Hess, James Leithead was elected Notary Public for Davis county.

On motion of Mr. Long, Aaron F. Farr was elected Probate Judge of Weber county.

On motion of Mr. Farr, William Critchelow was elected Notary Public for Weber county.

On motion of Mr. Kelsey, Jonathan C. Wright was elected Probate Judge of Box Elder county.

On motion of Mr. Wright, John Burt was elected Notary Public for Box Elder county.

On motion of Mr. Preston, Peter Maughan was elected Probate Judge of Cache county.

On motion of Councilor Benson, James H. Martineau was elected Notary Public for Cache county.

On motion of Mr. Rhoads, Ira Eldridge was elected Probate Judge of Summit county.

On motion of Mr. Maughan, Samuel P. Hoyt was elected Notary Public for Summit county.

On motion of Mr. Kelsey, John Rowberry was elected Probate Judge of Tooele county.

On motion of Mr. Maughan, Wm. A. Martindale was elected Notary Public for Tooele county.

On motion of Mr. Bean, John W. Witt was elected Probate Judge of Wasatch county.

On motion of Mr. Bean, Henry J. Young was elected Notary Public for Wasatch county.

On motion of Mr. Stoker, Charles Peterson was elected Probate Judge of Morgan county.

On motion of Mr. Stoddard, Isaac Bowman was elected Notary Public for Morgan county.

The minutes were read and accepted.

On motion of Councilor Hyde, the joint session was dissolved.

Prayer by the Chaplain of the Council.

WEDNESDAY, JANUARY 14, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 14, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following messages were received from the House:

"The House of Representatives have concurred in the amendments to (C. F. No. 3) as agreed upon by the joint committee from the two Houses."

They have passed (H. F. 12) "An Act regulating Writs of Attachments, Garnishments and Capias," which is now sent for your concurrence, and,

They do not concur in (C. F. No. 2) "An Act supplementary to an act to incorporate the city of St. George," &c.

The House of Representatives return your bill (C. F. No. 4) "An Act to provide for the organization of Telegraph companies," with

two amendments in section 1; one amendment in sec. 3; by striking out "or beyond the limits thereof," in sec. 4; by striking out the word "shade" in sec. 5; by substituting the word "six" in lieu of "three" in the 6th sec., and by striking out the 8th section. Do you concur with these amendments?"

(H. F. 12) "An Act regulating Writs of Attachments, Garnishments and Capias" was read, and,

On motion of Councilor Smith, was referred to the Committee on Judiciary.

(C. F. No. 4) "An Act to provide for the organization of Telegraph companies" was read with the amendments suggested by the House, and;

On motion of Councilor Carrington, was laid over till called for.

The following report of Committee was received:

"The Committee on Agriculture, Trade and Manufactures, to whom was referred (H. F. No. 10) "An Act to provide for the preservation, in purity, of the seed of the Sorghum and Imphee canes, also the seed of the Broom corn," respectfully report that they have examined the same and propose certain amendments, noted in pencil on the margin.

W. WOODRUFF, chairman."

(H. F. No. 10) "An Act to provide for the preservation, in purity, of the seed of the Sorghum and Imphee canes, also the seed of the Broom corn" was read with the suggested amendments, and,

On motion of Councilor Smith, the Council declined to concur, and the bill was returned to the House.

The following message was received from the House:

"I have the honor to inform you that Mr. Farr has been appointed a committee of one on the part of the House, to meet with a like committee from the Council, to confer on the subject of sec. 3, to [C. F. No. 5], also [H. F. 16] "An Act in relation to Territorial, county and city revenue."

Will you please to appoint said committee.

Very respectfully,

ORSON PRATT, Sen., Speaker."

On motion of Councilor Smith, the Council concurred, and Councilor Carrington was appointed said Committee.

On motion of Councilor Smith, the Committee on Claims and Appropriations was instructed to incorporate in their General Appropriation Bill an appropriation of one thousand dollars to the Deseret Agricultural and Manufacturing Society.

The following message was received from the House:

"The House have passed the accompanying acts, [H. F. 15 and 17] and also the inclosed Resolution."

[H. F. 15] "An Act making appropriations for road purposes in Wasatch county," was read, and,

On motion of Councilor Smith, the Council declined concurrence.

[H. F. 17] "An Act for the encouragement of the production of pure wine in this Territory" was read, and,

On motion of Councilor Carrington, the Council declined concurrence.

The House "Resolution, instructing the Warden to cancel the amounts standing on Penitentiary books," was read, and,

On motion of Councilor Smith, was referred to the Committee on Penitentiary.

Councilor Smith, on behalf of the Committee on Judiciary, reported,

[C. F. No. 6] "An Act changing the time of holding the Supreme and District Courts in the first and second Judicial Districts" which was read the first time, and,

On motion of Councilor Benson, was taken up on its second reading.

The bill having passed its second reading, was,

On motion of Councilor Hess, read the third time, and so passed, and was sent to the House for concurrence.

Councilor Carrington, Chairman of Committee on Judiciary, to whom was referred [H. F. No. 9] "An Act appropriating money to Cache county for road purposes," reported back the bill, recommending non-concurrence.

On motion of Councilor Smith, the Council accordingly declined to concur.

The following message was received from the House:

"The inclosed "Resolution, authorizing the treasurer to expunge from his book the amount of bills receivable," has been adopted by the House, and is now submitted for your concurrence."

The Resolution was accordingly read, and,

On motion of Councilor Smith, the Council concurred.

Minutes were read and accepted.

On motion of Councilor Richards, the Council adjourned till 1 p.m. to morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 14, 1863. 10 a.m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council announcing their concurrence in [H. F. 13].

Mr. Rockwood, Chairman of Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the Petition of Lewis Robison and Joshua Terry, reported "An Act amending an Act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river," which was read, and laid on the table to come up in its order.

A message was received from the Council informing the House that the joint committee of conference had agreed upon the amendments to (C. F. 3), and that the Council had adopted them.

On motion of Mr. Long, the House concurred with the Council in the adoption of amendments made to [C. F. 3] by the joint committee of conference.

Mr. Long presented, Territorial Superintendent's report, with accompanying table of statistics, which was read, and,

On motion of Mr. Taylor, ordered to be spread on the minutes.

"GENTLEMEN:—I have the pleasure herewith to submit my statistical report. I would have been more pleased had it been in my power to present a complete report, but in a few instances I have no returns whatever, and am unable to make even an approximate report.

Some of the county Superintendents have never received a copy of the laws of the session of 1859-60, containing the School bill.

It has been a question with me whether the trouble of procuring school statistics in Utah was not greater than the benefits that would accrue therefrom, but as some regard it as an axiom, that statistics are the foundation of improvement, it may be deemed wisdom to persevere and endeavor to overcome the difficulties consequent upon their introduction. I feel confident, however, that unless the county Superintendents are indefatigable and thorough in their labors we will never arrive at anything like correct or reliable reports.

The great difficulty in school matters here is a lack of uniformity in text books, which renders the labors of the Teacher very arduous, without corresponding benefits to the pupil. The time has arrived, in my opinion, when we should compile and publish our own

school books; this would produce that uniformity which Teachers so much desire. The lack of paper, hitherto, has debarred us of this privilege; but I do not know of anything that would facilitate the collection of material for the manufacture of paper equal to furnishing school-books in exchange for the same.

While I am pleased to witness the aid and attention bestowed upon the varied interests of this thriving Territory, I hope that the educational interests may not be neglected, but that they shall be fostered in that manner which becomes a people who realize the magnitude and importance of the subject. Permit me to indorse the sentiment and suggestions contained in Gov. Brigham Young's message, Dec. 11, 1854, from which I extract the following:

"Hitherto the cause of education has been intrusted with the Board [of Regents] by the Legislature who probably conceived they had sufficiently discharged their duties by having invested the regents with full power and authority to act in relation to that subject. But it is a subject of vast importance, and involves trusts of too weighty consideration to be neglected for any reasons at present existing. It is a subject fraught with momentous interest to us, and our youth, who are soon to become our representatives upon the earth, and will, if neglected, recoil with bitterness upon our own heads when too late to remedy.

As a Territory, we have peace, and extensive ability exists with the people, to establish and sustain good common schools in every ward and district, not only three or six months in a year, as appears at present most common; but ten or eleven, wherein every child, no matter how poor, may find admittance. Schools for teachers, mathematical schools, and schools wherein the higher branches are taught, should also be kept in successful operation, in all the principal towns."

The machinery of a good school system for Utah has been constructed by the Legislature, and should all the parts act with vigor and harmony, our educational matters would present a phasis which would reflect credit on your honorable body, and be of intrinsic worth to the commonwealth.

If a few school-houses were erected in our principal cities, sufficiently large to accommodate from 150 to 250 scholars each, with different apartments where the more proficient school teacher would find two or three classes on which to bestow all his attention, and where other teachers of less ability would find classes to teach corresponding with their attainments and taste, a classification of labor would be attained which would be of great advantage. Our school teachers are not classified; hence we find our ablest teachers, amongst whom are those whose abilities eminently fit them to teach the higher branches, and even the classics, laboring with juveniles,

studying the alphabet, and from that up through every grade in a primary school.

Could I say anything in this report which would induce the members of the Assembly and other influential citizens, to use their influence among the people to pay school teachers liberally; also with sufficient of that kind of pay which would enable them to procure ample clothing for themselves and families, I realize the educational cause would be much benefitted thereby.

Respectfully, yours, &c.,

ROBT. L. CAMPBELL,

Territorial Superintendent of Common Schools.

Great Salt Lake City, Jan. 14, 1863.

Names of Counties.	ANNUAL STATISTICAL REPORT OF TERRITORIAL SUPERINTENDENT OF COMMON SCHOOLS. DEC. 1862.														REMARKS.
	No. of Districts in County.	No. of Districts reported.	No. of School-houses reported.	No. of Schools.	No. of Male Teachers.	No. of Female Teachers.	No. of boys in district between the ages of 6 and 18 years.	No. of girls between 4 and 16 years.	No. of boys enrolled in School schedules.	No. of girls enrolled.	Per centage of names enrolled.	Average daily attendance.	Per centage of children actually attending school.	Average of months schools have been taught during the year.	
Beaver*	1	1	1	1	3	2	53	29	28	18	50	40	6	6	Amount paid to teachers, and amounts expended on buildings, etc., are reported as regularly that they are omitted in this report.
Box Elder	3	1	1	1	3	1	58	74	107	61		96			
Cochet	13	13	13	13	5	8	635	697	210	263		289			
Davis	32	28	25	28	18	29	1461	1371	812	878	594	1040	37	8	
Great Salt Lake	3	3	3	2	1	143	124	52	43			88		5 3/4	
Iron	6	4	6	6	2	4	198	143	128	91		128		4	
Millard	3	3	3	3	3	3	254	200	103	88		110		6	
Moran	3	3	3	3	3	3	254	200	103	88		110		6	
San Pete	3	3	3	3	3	3	254	200	103	88		110		6	
Summit	3	3	3	3	3	3	254	200	103	88		110		6	
Tooele	3	3	3	3	3	3	254	200	103	88		110		6	
Utah	12	8	9	8	9	9	684	686	308	305		331		8	
Wasatch	1	1	1	1	1	1	176	146	32	41		38		6	
Washington	14	6	6	4	2	369	312	126	140		182		8 3/4		
Weber	14	6	6	4	2	369	312	126	140		182		8 3/4		
Total.	43	50	39	50	39	50	3662	1906	1918	50	2391	314	61		

*Imperfect report; the only district reported being Minersville; but the county Superintendent hopes to be able to report correctly hereafter.

†No official report; but through the Representative, Mr. Maughan, I have learned that there are 12 school districts, a good substantial school-house in each, and schools taught in every district through the winter, and in several districts for nine months in the year.

‡No schools kept within the meaning of the "Common School Act;" but the county Superintendent reports that there are four schools now, where formerly one, with about 120 scholars of various ages."

Mr. Rockwood, chairman of Committee on Roads, &c., to whom was referred the petition of J. W. Witt and others, citizens of Wasatch county, reported the accompanying bill, "An Act making appropriations for road purposes in Wasatch county," and recommended its adoption, which was read and laid on the table to come up in its order.

The following was received and read:

"Your Committee, to whom was referred the claim of Theodore McKean, for services as Territorial Road Commissioner for the year 1862, having duly examined into said claim, most respectfully recommend the amount, viz. \$307 00 be included in the Territorial Appropriation Bill.

Respectfully,

H. B. CLAWSON,

Chairman of Committee on Claims, &c."

On motion of Mr. Rockwood, the Committee on Claims were instructed to incorporate said bill of Territorial Road Commissioner in the Territorial appropriation bill.

(C. F. 2) "An Act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," was taken up on its second reading, by sections, and,

On motion of Mr. Wright, the House did not concur with the Council in the passage thereof.

On motion of Mr. Stoker, the House took a recess of one hour.

1 p.m.

House resumed its sitting.

Roll called. Quorum present.

(H. F. 14) "An Act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river" was taken up on its second reading, by sections, and,

On motion of Mr. Long, the enacting clause of said bill was stricken out.

(C. F. No. 5) "An Act in relation to the Territorial tax," was taken up.

Mr. Farr moved, that said bill, and (H. F. 16), "An Act in relation to Territorial, county and city revenue," be referred to a joint committee of conference of the two houses, the Council concurring, and that a committee of one be appointed by the House to confer with a like committee to be appointed by the Council upon the subject, and report thereon as early as practicable.

The Speaker appointed Mr. Farr said committee.

The following message from the Council was received and read:

"The Council respectfully decline concurrence in your bill (H. F. 10) which is therefore returned."

The following was received and read:

"GENTLEMEN:—Your Committee have considered that part of the Warden's report relating to the amount due from Alex. McRae, drawn from P. K. Dotson, U. S. Marshal, and would most respectfully beg leave to report that they find the Warden's report correct; yet Mr. McRae claims that he is entitled to that amount, viz. \$152, having, according to his representations, been overcharged for wood, and not received a sufficient remuneration for supplies furnished for board of prisoners.

Therefore, your committee would respectfully recommend that a Resolution pass instructing the present Warden to cancel the same on the Penitentiary books.

H. B. CLAWSON,
Chairman of Committee on Claims, &c."

Mr. Long reported, "Resolution, instructing the Warden to cancel certain amounts standing on Penitentiary books," which was read, and,

On motion of Mr. Maughan, adopted.

(H. F. 15) "An Act making appropriations for road purposes in Wasatch county," was taken up on its second reading, and,

On motion of Mr. Bean, passed to its third reading by its title.

Said bill was read by its title and so passed.

Mr. Kelsey presented, (H. F. 17) "An Act for the encouragement of the production of pure wine in this Territory," which was read, and,

On motion of Mr. Long, passed to its second reading.

On motion of Mr. Preston, said bill passed its third reading by its title, and was ordered to be sent to the Council for their action.

The following was received and read:

"Your committee, to whom was referred the motion of Mr. Allred, instructing them to make inquiry in relation to "bills receivable," as reported by the treasurer, beg leave to state that they have investigated the subject, and find that the amount consists of a note, from which, the probability is, that the Territory will realize nothing, and in order to dispose of the matter recommend the adoption of the accompanying resolution.

A. K. THURBER,

Chairman of Committee on Revenue."

"Resolution, authorizing the treasurer to expunge from his book the amount due on bills receivable," was read, and,

On motion of Mr. Long, adopted.

A message was received from the Council notifying the House that they had appointed Councilor Carrington, on the part of the Council, on the joint committee of conference, on the subject of (C. F. No. 5) and (H. F. No. 16),

The minutes were called for, read and approved.

On motion of Mr. Wright, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 15, 1863;

COUNCIL.

COUNCIL CHAMBER,

G. S. L. City, Jan. 15, 1863. 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

"GENTLEMEN:--We return your (C. F. 6) "Act changing the time of holding the Supreme court and District courts in the 1st and 2d Judicial Districts," concurred in by the House."

Councilor Hyde presented, (C. F. No. 7) "To amend an Act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," which was read, and,

On motion of Councilor Hyde, was read the second time, and

On motion of Councilor Carrington, was read the third time by its title and so passed, and was sent to the House for concurrence.

(C. F. No. 4) "An Act to provide for the organization of Telegraph Companies" was read as amended by the House, and,

On motion of Councilor Carrington, the Council concurred in the amendments with the exception of the amendments to sec. 3.

Councilor Benson, chairman of the Committee on Penitentiary, to whom was referred the House resolution with regard to canceling the accounts of the ex-Wardens McRae and Carn, reported the same back, recommending concurrence therein, and,

On motion of Councilor Spencer, the Council concurred, and the House was notified accordingly.

Councilor Cummings reported, Petition and bill of J. C. Little for services as Sexton in Public Burials, amounting to \$47 50, which,

On motion of Councilor Hyde, was ordered to be incorporated in the General Territorial Appropriation Bill.

The following message was received from the House:

"The House have withdrawn from their amendment of sec. 3 (C. F. 4) and return the bill to be engrossed. They have likewise passed (C. F. No. 7) with amendment, and respectfully ask your concurrence."

Councilor Richards reported, "Resolution relating to the publishing of the laws and Journals of the Twelfth Annual Session," which was read, and,

On motion of Councilor Hyde, the Resolution was adopted and sent to the House for concurrence.

The following report was presented by Councilor Carrington:

The conference committee, to whom was referred (C. F. No. 5) "An Act in relation to the Territorial tax," and (H. F. No. 16) "An Act in relation to Territorial, county and city revenue," return said Acts recommending that they do not pass, and report as a substitute, (C. F. No. 8) "An Act in relation to Territorial, county and city taxes," recommending its passage.

A. CARRINGTON,

Chairman of conference committee."

On motion of Councilor Benson, the bill (C. F. No. 8) "An Act in relation to Territorial, county and city taxes," was read the first time, and,

On motion of Councilor Hess, was taken up on its second reading, and,

The bill having been read the second time, was,

On motion of Councilor Carrington, read the third time, and passed, and so sent to the House for concurrence.

Councilor Carrington reported, Resolution convening the Legislative Assembly," which,

On motion of Councilor Hess, was adopted, and sent to the House for concurrence.

The Chief-Clerk of the House, as specially deputed, handed to the President,

(H. F. 19) "An Act for the encouragement of the production of pure wine in the Territory of Utah," which was read, and,

Councilor Benson moved for concurrence.

The motion was lost, and the bill returned to the House not concurred in.

(C. F. No. 7) "An Act to amend an act granting to Lewis Robinson and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," as amended by the House, was called up, and,

On motion of Councilor Smith, the President was authorized to appoint a committee of conference on the subject of the amendments Mr. Harrington was accordingly appointed.

The minutes were read and accepted.

On motion of Councilor Hess, the Council adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, }
G. S. L. City, Jan. 15, 1863. 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Messages were received from the Council, announcing their concurrence in "Resolution, authorizing the Treasurer to expunge from his book the amount due on bills receivable," also their non-concurrence in bills [H. F. Nos. 9, 15 and 17], and their passage of [C. F. No. 6] "An Act changing the time of holding the Supreme and District courts in the first and second Judicial Districts."

Mr. Thurber, chairman of Committee on Revenue, to whom was referred [H. F. No. 4] "An Act repealing an act in relation to Territorial, county and city taxes," returned said bill, the subject matter being embraced in [H. F. 16] under consideration of the joint committee.

On motion of Mr. Rockwood, the Committee on Claims and Appropriations were instructed to incorporate the sum of one thousand dollars in behalf of the Deseret Agricultural and Manufacturing Society in the Territorial appropriation bill.

Mr. Thurber, chairman of Committee on Revenue, to whom was referred [H. F. No. 5] "An Act prescribing the manner of assessing and collecting Territorial and county taxes," reported the same back with recommendation that it do not pass.

On motion of Mr. Preston, said Committee were relieved from the further consideration of said bill.

[C. F. 6] "An Act changing the time of holding the Supreme court and District courts in the first and second Judicial Districts," was taken up and read, and,

On motion of Mr. Long, said bill passed to its second reading.

On motion of Mr. Thurber, said bill passed to its third reading.

The bill was read by its title and so passed.

On motion of Mr. Preston, the House took a recess of one hour.

1 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

Mr. Woolley, chairman of Committee on Penitentiary, to whom was referred [H. F. 3] "An Act constituting county jails, prisons and for other purposes," reported further legislation upon the subject at present unnecessary.

Said bill was laid on the table indefinitely.

The following was received and read:

"GENTLEMEN:—Your committee to whom was referred the accounts and claims of the Warden of the Penitentiary for the year 1862, have examined the same, and find them correct.

Therefore we would respectfully recommend that there be included in the Territorial appropriation bill the sum of one thousand dollars to be paid to A. P. Rockwood, for services as Warden of the Penitentiary for the year 1862; and further, that the service individually furnished by the Warden in watchmen and turnkeys during said year, as per bill, be received as an equivalent for the wood used by him, and usually charged to Warden in his account.

H. B. CLAWSON,

Chairman of Committee on Claims, &c."

On motion of Mr. Woolley, the Committee on Claims were instructed accordingly.

The following was received and read:

"The Committee on Roads, Bridges, Ferries and Kanyons, to whom was referred the several motions in relation to the condition of the public roads and bridges; also the petition of the citizens of Morgan county, praying for an appropriation to be expended on the road in Weber Canyon, and the report of the Territorial Road Commissioner, have taken into consideration the several motions, and report that in the judgment of your committee the Territorial funds will not justify an appropriation; therefore we report adversely to any expenditure on the bridges or roads referred to.

A. P. Rockwood, chairman."

On motion of Mr. Rhoads, the Committee on Claims and Appropriations were instructed to incorporate the sum of fifteen hundred dollars, or so much thereof as may be necessary, in the Territorial appropriation bill, to the Directors of the Penitentiary for Penitentiary purposes.

Mr. Wright presented, "An Act for the encouragement of the production of pure wine in the Territory of Utah," which was read, and laid on the table.

Mr. Clawson, chairman of Committee on Claims, reported Territorial appropriation bill in progress, which was read.

The following message from the Council was received and read:

"The accompanying bill [C. F. No. 7] has passed the Council, and is now respectfully submitted for your concurrence."

"The Council has concurred in your amendments to the bill [C. F. No. 4] with the exception of those made in sec. 3. Requesting you to recede from those amendments; the Council would be pleased to learn your action on the subject."

On motion of Mr. Long, the amendments in section 3 to [C. F. 4] were rescinded.

(C. F. No. 7) "An Act to amend an act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," was taken up and read, and,

On motion of Mr. Long, passed to its second reading.

On motion of Mr. Rockwood, said bill was amended, and passed to its third reading.

Said bill was read by its title, and so passed.

A message was received from the Council, and read, informing the House of their concurrence in "Resolution, instructing the Warden to cancel certain amounts standing on Penitentiary books."

(H. F. 19) "An Act for the encouragement of the production of pure wine in the Territory of Utah," was taken up on its second reading, by sections, and,

On motion of Mr. Wright, said bill passed to its third reading by its title, and with "accompanying documents" was ordered to be sent to the Council for concurrence.

The minutes were called for, read and approved.

On motion of Mr. Wright, the House adjourned till to-morrow at 10 a.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 16, 1863.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 16, 1863. 10 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smith moved for a committee of conference, the House concurring, for the reconsideration of

(C. F. No. 2) "An Act supplementary to an act to incorporate the city of St. George, in Washington county," approved January 17, 1862.

The motion having passed, the President appointed Councilor Smith said committee.

Councilor Benson presented, (C. F. No. 9) "An Act granting unto Preston Thomas the right to erect a ferry or ferries across Bear river, and control the same," which was read the first time.

On motion of Councilor Benson, was taken up on its second reading, and,

On motion of Councilor Hyde, was referred to the Committee on Roads, Bridges, Ferries and Kanyons.

The following messages were received from the House:

"The House would be pleased to learn your action on (H. F. 1) "An Act concerning Justices of the Peace;" (H. F. 8) "An Act granting unto La Fayette Granger the right to erect and control ferries across Black and Ham's forks of Green river;" also (H. F. 12) "An Act regulating Writs of Attachments, Garnishments and Capias."

"The House of Representatives has concurred in your Resolution relating to the publishing and distribution of the laws and journals of the twelfth annual session," also your "Resolution convening the Legislative Assembly," and "An Act in relation to Territorial, county and city taxes," which are herewith returned to your honorable body.

Councilor Hyde reported back, with amendments,

(C. F. No. 9) "An Act granting unto Preston Thomas the right to erect a ferry or ferries across Bear river, and control the same," which was read the first time as amended, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Hess, the bill was read the third time by its title, and so passed, and was sent to the House for concurrence.

Councilor Carrington made the following report:

"The special committee appointed to examine the vouchers for disbursements made by the Territorial treasurer, report that they have carefully examined said vouchers, found them correct, and destroyed them.

A. CARRINGTON,

Chairman of special committee."

On motion of Councilor Woodruff, the report was accepted, and the committee discharged from further action on the subject.

Councilor Carrington reported, (C. F. No. 10) "An Act prescribing the time for completing an assessment," which was read the first time, and,

On motion of Councilor Woodruff, was taken up on its second reading.

The bill having been read the second time, was,

On motion of Councilor Carrington, read the third time by its title, and so passed, and was sent to the House for concurrence.

The following message was received from the House:

"The House have concurred in your bill, (C. F. No. 10); they have also passed (C. F. No. 9) after amending said bill by inserting the word "containing" after the word vehicle in sec. 2, and respectfully ask your concurrence in said amendment. (C. F. No. 2) has been passed by the House as amended by the joint committee. The House have withdrawn from their amendment to (C. F. No. 7) and now return the same for engrossing."

(C. F. No. 9) "An Act granting unto Preston Thomas the right to erect a ferry or ferries across Bear river, and control the same," was read as amended, and,

On motion of Councilor Woodruff, the Council concurred in the amendments, and the House was notified accordingly.

(C. F. No. 2) "An Act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," was taken up and read as amended by the committee of conference, and,

On motion of Councilor Carrington, the bill being read, was passed with the amendments, and so sent back to the House for concurrence.

The following report of Committee was received:

"Your Committee, to whom (H. F. No. 8) was referred An Act granting unto La Fayette Granger the right to erect and control ferries on Black and Ham's forks of Green river, recommend that the Council do not concur in its passage.

ORSON HYDE, chairman."

On motion of Councilor Smith, the Council accepted the report of the Committee, and they were discharged from further duty on the subject.

The following message was received from the House:

"We send you 'Territorial appropriation bill' for your concurrence."

The bill was read, and,

On motion of Councilor Smith, the Council concurred in the bill.

After a recess of 30 minutes the Council again resumed its session.

(C. F. No. 11) "An Act to repeal an act entitled an act appointing a Superintendent of the Provo Canyon road, and specifying the rates of toll to be collected thereon," was read the first time, and,

On motion of Councilor Harrington, was read the second time, and,

On motion of Councilor Hess, was read the third time by its title, and so passed, and was sent to the House for concurrence.

Councilor Cummings moved, that the Hon. Daniel H. Wells, President of this Council, is justly entitled to the thanks of the members of the Council for the firm, dignified and able manner in which he has discharged the duties of his office, and for his kind and courteous deportment towards all the members of the same during the present session. Seconded and carried unanimously.

The following communications were received and read:

"I am directed by the House to inform you that our table is now clear of business, and to inquire if you have any further business for us, or if you know of any reason why we should not now dissolve."

"The Judiciary Committee, to whom was referred (H. F. No. 1)

"An Act concerning Justices of the Peace in civil cases," and (H. F. No. 12) "An Act regulating Writs of Attachments, Garnishments and Capias," herewith return said Acts, and recommend that the Council do not concur in their passage.

A. CARRINGTON,

Chairman of the Committee on Judiciary."

On motion of Councilor Woodruff, the report was accepted, and the committee discharged from further duty on the subject.

"GENTLEMEN:--We return you [C. F. 11] concurred in by the House. As this is our last business, we are ready to dissolve this the twelfth annual session."

Councilor Richards presented the following Resolution, complimentary to the Hon. Frank Fuller, Secretary of Utah Territory:

"Be it resolved by the Council of the Legislative Assembly of the Territory of Utah, that we present a vote of thanks to Hon. Frank Fuller for the prompt and gentlemanly manner in which he has discharged the duties of his office as Secretary of the Territory of Utah during the present session of this Legislative Assembly.

The independent, high-minded and honorable course which he has invariably pursued during his sojourn in this Territory elicits from us and our constituents the warmest terms of praise and commendation."

On motion of Councilor Smith, the resolution was adopted.

The minutes being called, for were read and accepted.

On motion of Councilor Benson, the Council adjourned sine die. Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 16, 1863. 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message from the Council was received and read:

"The accompanying "Resolution, relating to the publishing and distributing of the laws and journals of the twelfth annual session," has been adopted by the Council."

"(C. F. No. 5) and (H. F. No. 16) having been by mutual agreement of the committee of conference substituted by the accompanying bill, (C. F. No. 8). The said bill and resolution are respectfully submitted for your concurrence."

"Resolution, relating to the publishing and distributing of the laws and journals of the twelfth annual session," was taken up and read, and,

On motion of Mr. Rockwood, the House concurred with the Council in the adoption thereof.

(C. F. No. 8) "An Act in relation to Territorial, county and city taxes," was taken up and read, and,

On motion of Mr. Maughan, passed to its second reading.

The following message from the Council was received and read:

"The accompanying "Resolution, convening the Legislative Assembly," has been adopted by the Council, and is now respectfully submitted for your concurrence.

The Council respectfully decline concurrence in your bill (H. F. 19.)"

(C. F. No. 8) "An Act in relation to Territorial, county and city taxes," was taken up on its third reading, and,

On motion of Mr. Preston, was read by its title and so passed.

"Resolution, convening the Legislative Assembly," was taken up and read, and,

On motion of Mr. Rhoads, the House concurred in the adoption thereof.

Mr. Long presented, claim of Robert L. Campbell for services rendered engrossing legislative journal of 1861-2, amounting to \$48, which was read, and,

On motion of Mr. Hambleton, the Committee on Claims were instructed to incorporate the same in the Territorial appropriation bill.

On motion of Mr. Woolley, the Assistant-Clerk was ordered to engross the minutes of the House of the present session in the Legislative Record, and present his bill therefore at the next session.

Mr. Farr presented, "Resolution, complimentary, and approving the official acts of the Hon. Frank Fuller, Secretary of the Territory of Utah," which was read, and,

On motion of Mr. Hambleton, adopted.

Mr. Hatch moved, that five hundred dollars of the Territorial funds be appropriated to aid in repairs on Provo bridge, to be expended under the superintendence of the Territorial Road Commissioner. Seconded and carried.

Mr. Long presented, bill of Territorial Superintendent of Com-

mon Schools, amounting to \$27 25, for services rendered, including record, stationery and postage, which was read, and,

On motion of Mr. Woolley, the Committee on Claims and Appropriations were instructed to incorporate the same in the Territorial appropriation bill.

On motion of Mr. Wright, the House took a recess of one hour.

1 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

A message was received from the Council announcing that they had appointed a committee of conference on the part of the Council for the consideration of (C. F. 7) "An Act to amend an act amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river, approved Jan. 18, 1861," provided the House concur in appointing said committee of conference.

Mr. Taylor moved, that a committee of one be appointed on the part of the House to act in conjunction with the committee of conference from the Council for the consideration of said bill.

The Speaker appointed Mr. Rockwood said committee.

Mr. Taylor reported back, "An Act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," and moved for a re-consideration thereof.

Said bill was read the second time by sections.

Said bill passed its third reading by its title.

The following message from the Council was received and read:

"The accompanying bill (C. F. No. 10) having passed the Council, is now respectfully submitted for your concurrence."

C. F. 10) "An Act prescribing the time for completing an assessment," was taken up and read, and,

On motion of Mr. Hambleton, passed to its second reading.

Said bill was taken up on its second reading, and,

On motion of Mr. Long, passed to its third reading by its title.

Said bill was read by its title, and so passed.

The following message from the Council was received and read:

"The Council has passed the inclosed bill (C. F. No. 9) "An Act granting unto Preston Thomas the right to erect a ferry across Bear river, and control the same," which is now respectfully submitted for your concurrence."

(C. F. No. 9) "An Act granting unto Preston Thomas the right to erect a ferry or ferries across Bear river, and control the same," was taken up and read, and,

On motion of Mr. Thurber, passed to its second reading.

Said bill was taken up on its second reading, and,

On motion of Mr. Taylor, passed its third reading by its title.

Said bill was read by its title, and so passed.

Mr. Rockwood, of the joint committee of conference on the consideration of (C. F. 7) having considered the same in conjunction with the Council committee, recommend that the House recede from their amendments in said bill.

On motion of Mr. Long, the House receded from their amendments to said bill.

Mr. Clawson, chairman of Committee on Claims, presented "Territorial appropriation bill," which was read, and,

On motion of Mr. Kelsey, passed to its second reading.

Mr. Long moved, that the sum of ten dollars be incorporated in the Territorial appropriation bill for services rendered by Robert L. Campbell, as engrossing clerk. Seconded and carried.

Mr. Farr moved that the sum of \$250 be appropriated for repairing the East Weber bridge, and that \$500 be appropriated for the repairs of the Ogden bridge and road leading to and from said bridge, to be expended under the directions of the Territorial Road Commissioner, and made payable to his order. Seconded and carried.

The following message from the Council was received and read:

"The Council has concurred in your amendment to (C. F. No. 9) and adopted the amendments suggested by the joint committee of conference to (C. F. No. 2)."

Mr. Callister moved that the sum of \$300 be appropriated to repair the Sevier bridge and the road leading to and from the same. Seconded and carried.

On motion of Mr. Allred, the House took a recess of one hour.

6 p.m.

House met pursuant to adjournment.

Roll called. Quorum present.

A message was received from the Council and read, announcing their concurrence in (H. F. 20) "Territorial appropriation bill."

A message was received from the Council and read, announcing their passage of (C. F. 11.)

[C. F. 11] "An Act repealing an act entitled an act appointing a superintendent of Provo Canyon road, and specifying the rates of toll to be collected thereon," was taken up on its first reading, and,

On motion of Mr. Thurber, passed to its second reading.

On motion of Mr. Preston, said bill passed to its third reading by its title.

Said bill passed its third reading by its title.

The following message was received from the Council and read:

"The appropriate committees of the Council having had under consideration your bills [H. F. No. 1, H. F. No. 8 and H. F. No. 12] have reported back the same with a recommendation of non-concurrence, to which the Council has unanimously agreed.

In reply to your letter, I am not aware of any reason why the Council should not adjourn at the same time it may be your pleasure so to do; no further business being before us."

Mr. Farr presented the following Resolution:

"Resolved, that we highly appreciate the candid, courteous and impartial manner in which the Speaker has discharged his duties during the present session of the Legislative Assembly; and therefore tender that which he so richly merits—our humble thanks accompanied with our best wishes for his future welfare and prosperity."

On motion of Mr. Rockwood, said Resolution was adopted, and ordered to be spread on the minutes.

Mr. Long, from the special joint committee appointed to examine the vouchers for disbursements made by the Territorial treasurer, reported that said committee had performed the duties assigned them, and had found the Treasurer's books and redeemed vouchers to agree; also that they had destroyed the said vouchers.

Mr. Long moved that the Committee on Printing be instructed to see that a copy of the minutes of the Assembly, now in the hands of the public printer, are forwarded to the address of each member of the House. Seconded and carried.

On motion of Mr. Farr, the House dissolved.

Benediction by the Chaplain.

GOVERNOR'S MESSAGE.

GENTLEMEN OF THE COUNCIL AND HOUSE OF REPRESENTATIVES OF
THE TERRITORY OF UTAH:

Since the adjournment of the eleventh annual session of this body, the office of Governor of this Territory has been conferred upon me according to law. On the 7th day of July last I arrived in this city and assumed the duties of my office. I had heard much of the industry and enterprise of the people of Utah, but I must admit that my most sanguine expectations were more than realized upon my arrival here. A few years since this Territory was only known as a desert. I found it the home of a large and thriving population, who have accomplished wonders in the short period that it has been settled; and under the steady progress of labor, protected in its indefeasible rights, the whole area embraced in the Organic Act establishing this Territory must present a spectacle to the people of the United States as satisfactory to them as it is creditable to yourselves.

The present season has been one of unusual abundance, not only here, but throughout the entire Union; and, notwithstanding civil war has made desolate many of the fairest districts which have ever been the abode of a civilized people; yet He who has promised "seed time and harvest," and "the rain to fall upon the unjust as well as the just," has still remembered the whole American people with superabundant mercies. If the harmony of the world has been marred, it has not been through the withholding of His kindness from the nation.

It is not necessary for me to dwell upon the causes which have superinduced the unhappy troubles now existing in the States of the American Union. That African slavery, and the unnatural antagonisms which grow out of that relation, lie at the foundation, I have no doubt. I am aware that other reasons have been assigned, but such reasons are confined to but very few in comparison to the many who will agree with me in my proposition. That it is the duty of every lover of human liberty and friend of Republican institutions on this continent to stand by the Government in its present trials is,

to my mind, a proposition too clear for argument. Notwithstanding organized treason is still making gigantic efforts to carry out its purpose of the destruction of the Union, yet I am happy in the belief that the rebellion has culminated; that it can never be as strong again as it has been for a few months past. The extremest measures have been resorted to in the rebel States to put the last man in the field for the purpose of sustaining the rebel flag; nevertheless that flag has been compelled to retreat step by step before the victorious legions of the Union, and still there are millions of men to be called into the field, if it shall hereafter be found that those millions are needed.

CONSERVATISM OF THE ADMINISTRATION.

The most conservative advocate of the Union, no matter what his opinions heretofore may have been on the question of slavery, cannot complain of the policy of the Administration of President Lincoln in dealing with this question. While it was known to all men that 4,000,000 of chattel slaves were supplying their rebel masters with means to prosecute their work of ruin to the Government, and for the overthrow of the Constitution—the joint labors of our common ancestors; yet that same Government, through its civil ministers and military commanders, it must be confessed, hesitated long to strike the rebel interests where its blows could be made to tell with most terrible effect.

OBJECTS OF THE WAR.

The present war has not been prosecuted by the Federal Government because of any hostility towards the institutions of the Southern States, but to preserve the union of the great family of States. The question of emancipation, or no Union, has been thrust upon the President. In meeting that question he has shown a patriotic wisdom worthy the head of a great nation. If the Union could have been preserved and slavery still suffered to remain intact, that institution would never have been disturbed by the American people; but would have been suffered to expand its malign influences in the impoverishment of the soil where it exists, until finally it must have perished by the inexorable law of retribution, which, like an avenging Nemesis, is ever following in the track of wrong. But no matter when or how the present difficulties may be settled, slavery is doomed—it must perish from the very nature of things.

PROCLAMATION OF EMANCIPATION.

On the first day of January, proximo, the time given by the President to the slave masters of the rebel States will have expired. If

madness shall still rule in their councils and no returning sense of duty or patriotism shall have been awakened in their hearts, and they shall still refuse to return to that allegiance which is their plainest duty, then the President, exercising that power which he holds as commander-in-chief, and which, as a war power, no man, whose opinions are entitled to the least respect, has ever denied, will by proclamation declare the freedom of every slave in the States or districts of States, where such rebellion shall then exist. This new order of things may for a time jostle the commercial interests of not only this country, but of the whole civilized world; but order and harmony will soon be restored, and our system of Government will still be preserved, with no disturbing element remaining, a beacon-light to the nations, and a refuge to countless millions who will come after us.

ADMISSION OF THE STATE OF DESERET INTO THE UNION.

After the adjournment of the last session of this body, in accordance with a joint resolution emanating therefrom, the people of this Territory proceeded to elect delegates to form a Constitution for the State of Deseret; and after such Constitution was formed and adopted, the people proceeded to elect a Governor, Lieutenant-Governor, and other officers, amongst which was a representative to Congress; and also two United States Senators were elected. One of the gentlemen elected as a United States Senator proceeded to Washington city and caused to be laid before Congress the object of his mission. He was treated with that courtesy to which a gentleman on so grave a mission should ever be entitled. He was permitted to occupy a seat within the bar of the Senate chamber, and was otherwise received with the kindest consideration. In consequence of the lateness of the session, it could not be expected that more would have been done than was in the premises. The Constitution and other documents were referred to the appropriate committee, where the matter now rests. That the question will be taken up at the approaching session of Congress and acted on in that spirit of fairness that becomes a great and generous nation, I have no doubt.

I am sorry to say that since my sojourn amongst you I have heard no sentiments, either publicly or privately expressed, that would lead me to believe that much sympathy is felt by any considerable number of your people in favor of the Government of the United States, now struggling for its very existence "in the valley and the shadow" through which it has been called to pass. If I am mistaken in this opinion, no one will rejoice more than myself in

acknowledging my error. I would, in the name of my bleeding country, that you, as the representatives of public sentiment here, would speedily pass such a resolution as will extort from me, if necessary, a public acknowledgement of my error, if error I have committed.

I have said this in no unkind spirit, I would much rather learn that the fault has been on my part and not on yours.

I regret also to say, I have found in conversing with many gentlemen of social and political influence, that because the question of the admission of this Territory into the Union was temporally postponed, distrust is entertained in regard to the friendly disposition of the Federal Government, and expressions have been used amounting to innuendoes at least as to what the result might be in case the admission should be rejected or postponed. Every such manifestation of spirit on the part of the objectors is, in my opinion, not only unbecoming, but is based on an entire misconception of the rights of the applicant and the duties of the representatives of the States composing the Union.

The Constitution of the United States provides, in Art. 4 and sec. 3, "That new States may be admitted by Congress in this Union," &c. The question properly arises, how and when are they to be admitted? Not, surely upon the demand of the people of the territory seeking to be admitted, but upon the consent of Congress. When that consent becomes a right to be demanded, depends on circumstances. It is doubtless the interest and policy of the Federal Government to admit the Territories belonging to it to the *status* and condition of States whenever there is a sufficient population to warrant it, and they apply to Congress with a Constitution republican in spirit and in form.

But still the Congress has not only the right but it is one of their gravest duties, to see that this great boon is not conferred upon a people unprepared to enter into the great political family on a basis that is unjust to other members of the Union. Amongst the first inquiries is that in relation to the population of the Territory knocking for admission. Is it such as to entitle a State to a member in the House of Representatives? If such is the case, and the Constitution which has been adopted as the organic law is such as the Constitution of the United States contemplates; if the same has been adopted in good faith, and the people are loyal to the Constitution and the laws, and desire the welfare of the Federal Government, then it becomes not only the duty of the Congress to admit such applicant, but the latter has a right morally and politically to demand

such admission. But on the other hand, if it is not clearly shown that there is a sufficient population, that the Constitution is republican in form and spirit, that the same has been adopted in good faith, and that the people are loyal to the Federal Government and to the laws, then the right to make such demand does not exist, nor should the application be entertained after these facts appear.

The admission of a new State into the Union is, or ought to be attended with the gravest consideration. For instance, suppose the population of the Territory is known to fall far short of the number that entitles the present members of the Union to a representation in Congress, should it be thought hard or strange that objections should be made? Is it thought a hardship that the people of the State of New York, comprising 4,000,000; are not willing that their voice should be silenced in the Senate of the United States by 60,000 or 80,000 in one of the Territories? I am aware that precedents may be cited in some few instances where these reasons have been overlooked and disregarded, but that fact does not affect the question under consideration. The reasons which controlled Congress at the time referred to were never good and sound ones, but were found in the wishes and ambition of political parties, anxious to control the vote in the Electoral College for Chief Magistrate. If the precedent was a bad one, the sooner it is changed the better for all parties concerned.

In connection with this subject, I respectfully recommend the propriety of passing an Act whereby a correct census may be taken of the population of this Territory. If it shall be found that the population is sufficient to entitle it to one Representative in Congress on the present basis, I shall be most happy in aiding you, to the extent of my humble abilities, in forwarding any movements having for their end the admission of the Territory into the Union as a State.

POLYGAMY.

It would be disingenuous if I were not to advert to a question though seemingly it has nothing to do with the premises, is yet one of vast importance to you as a people, and which cannot be ignored—I mean that institution which is not only commended but encouraged by you and which, to say the least of it, is an anomaly throughout Christendom—I mean polygamy, or, if you please, plurality of wives. In approaching this delicate subject, I desire to do so in no offensive manner or unkind spirit; yet, the institution, founded upon no written statute of your Territory, but upon custom alone exists. It is a patent fact, and your own public teachers, by speech and pam-

phlet on many occasions, have challenged its investigation at the bar of Christendom. I will not on this occasion be drawn into a discussion either of its morality or its Bible authority. I will neither affirm nor deny any one of the main propositions on which it rests. That there is seeming authority for its practice in the Old Testament Scriptures, cannot be denied.

But still there were many things authorized in the period of the world when they were written, which could not be tolerated now without overturning the whole system of our civilization, based as it is on that newer and better revelation of the common Savior of us all. While it must be confessed that the practice of polygamy prevailed to a limited extent, yet it should be remembered that it was in that age of the world when the twilight of a semi-barbarism had not yielded to the effulgence of the coming day, and when the glory and fame of the Kings of Israel consisted more in the beauty and multitude of their concubines than in the wisdom of their counselors. "An eye for an eye and a tooth for a tooth" was once the *lex talionis* of the great Jewish law giver. So capital punishment was awarded for Sabbath-breaking; and there were many other statutes and customs which at this age of the world, if adopted, would carry us backward into the centuries of barbarism.

I lay it down as a sound proposition that no community can happily exist with an institution as important as that of marriage wanting in all those qualities that make it homogeneous with institutions and laws of neighboring civilized communities having the same object. Anomalies in the moral world cannot long exist in a state of mere abeyance—they must from the very nature of things become aggressive, or they will soon disappear from the force of conflicting ideas. This proposition is supported by the history of our race, and is so plain that it may be set down as an axiom. If we grant this to be true, we may sum up the conclusion of the argument as follows: Either the laws and opinions of the communities by which you are surrounded must become subordinate to your customs and opinions, or on the other hand, you must yield to theirs. The conflict is irrepressible.

But no matter whether this anomaly shall disappear or remain amongst you, it is your duty at least, to guard it against flagrant abuses. That plurality of wives is tolerated and believed to be right, may not appear so strange. But that a mother and her daughters are allowed to fulfil the duties of wives to the same husband, or that a man could be found in all Christendom who could be induced to take upon himself such a relationship is perhaps no

less a marvel in morals than in matters of taste. The bare fact that such practices are tolerated amongst you is sufficient evidence that the human passions, whether excited by religious fanaticism or otherwise, must be restrained and subjected to laws, to which all must yield obedience. No community can long exist without absolute social anarchy unless so important an institution as that of marriage is regulated by law. It is the basis of our civilization, and in it the whole question of the descent and distribution of real and personal estate is involved.

Much to my astonishment I have not been able to find any laws upon the statutes of this Territory regulating marriage. I earnestly recommend to your early consideration the passage of some law that will meet the exigencies of the people.

ACT OF CONGRESS AGAINST POLYGAMY.

I respectfully call your attention to an Act of Congress passed the first day of July, 1862, entitled "An Act to punish and prevent the practice of polygamy in the Territories of the United States, and in other places, and disapproving and annulling certain Acts of the Legislative Assembly of the Territory of Utah." (Chap. cxxvii of the Statutes at Large of the last Session of Congress; page 501.) I am aware that there is a prevailing opinion here that said Act is unconstitutional, and therefore it is recommended by those in high authority that no regard whatever should be paid to the same—and still more to be regretted, if I am rightly informed, in some instances it has been recommended that it be openly disregarded and defied, meanly to defy the same.

I take this occasion to warn the people of this Territory against such dangerous and disloyal counsel. Whether such Act is unconstitutional or not, is not necessary for me either to affirm or deny. The individual citizen, under no circumstances whatever, has the right to defy any law or statute of the United States with impunity. In doing so, he takes upon himself the risk of the penalties of that statute, be they what they may, in case his judgment should be in error. The Constitution has amply provided how and where all such questions of doubt are to be submitted and settled, viz.: in the Courts constituted for that purpose. To forcibly resist the execution of that Act would, to say the least, be a high misdemeanor, and if a whole community should become involved in such resistance would call down upon it the consequences of insurrection and rebellion. I hope and trust that no such rash counsels will prevail. If, unhappily, I am mistaken in this, I choose to shut my eyes to the consequences.

LIBERTY OF CONSCIENCE.

Amongst the most cherished and sacred rights secured to the citizen of the United States, is the right "to worship God according to the dictates of conscience." It would have been strange indeed, if the founders of our Government had not thrown around the citizen this irrevocable guaranty, when it is remembered, that so many of the framers of the Constitution must have been familiar with the acts of the British Parliament against "non-conformists" and had witnessed the injustice and hardship resulting therefrom. They had seen men of the most exalted abilities and virtues excluded from places of public trust for no other reason than that they would not subscribe to all of the dogmas of a church established by law. They had witnessed, at the same time, other men of the most questionable integrity and morality clothed in the robes of prelate and bishop, exacting without stint or mercy enormous revenues from an unwilling people, and expending the same in the pursuit of an unholy ambition and in a luxury that better befitted some Eastern satrap than the followers of "the meek and lowly Jesus" on whom they professed to believe. In the light of their past experience, and inspired by the great primal truths of the Declaration the "indefeasible rights of man to the enjoyment of life, liberty and the pursuit of happiness" still sounding in their ears, they founded a Government on the basis of religious toleration, before unknown to mankind. This could not well have been otherwise, from the very nature of things. It was the inevitable corollary that proceeded from the premises, and thus was it, that religion was left a matter between man and his maker, and not between man and the Government.

But here arises a most important question, a question perhaps that has never yet been asked or fully answered in this country—how far does the right of conscience extend? Is there any limit to this right? and, if so, where shall the line of demarcation be drawn, designating that which is not forbidden from that which is? This is indeed a most important inquiry, and from the tendency of the times, must sooner or later be answered. I cannot and will not on this occasion pretend to answer this question, but will venture the suggestion that when it is answered the same rules will be adopted as if the freedom of speech and of the press were involved in the argument.

Let us refer to this provision of the Constitution; it is found in the first article of the amendments: "Congress shall make no laws respecting the establishment of religion, or prohibiting the free

exercise thereof, or abridging the freedom of speech or of the press." Can we logically infer from the above provision that these rights are not co-relative, or that they do not rest on the same principles? that one of these rights is of more importance to the citizen than another, and that his duty in their "free exercise" is not the same? I think not.

Let us briefly examine this proposition. Because "the freedom of speech and of the press" is guaranteed, can the citizen thereby be allowed to speak slanderously and falsely of his neighbor? Can he write and print a libel with impunity? He certainly cannot; and his folly would almost amount to idiocy if he should appeal to the Constitution to shield him from the consequences of his acts. But the question may be asked—why not? The answer is at hand. Simply because he is not allowed to abuse these rights. If, upon a prosecution for slander or libel, the defendant should file his plea setting up that provision of the Constitution as a matter of defense, the plea would not only be bad on demurrer, but the pleader would be looked upon as a very bad lawyer. Will any one inform me why the same parity of reasoning should not apply in one case as the other?

That if an act, in violation of law and repugnant to the civilization in the midst of which that act has been committed, should be followed by a prosecution, could it be justified under the guaranty of the Constitution securing the "free exercise of religion" more than in the case above cited? I shall pause for an answer. There can be no limits beyond which the mind cannot dwell, and our thoughts soar in their aspirations after truth. We may think what we will, believe what we will, and speak what we will, on all subjects of speculative theology. We may believe with equal impunity the Talmud of the Jew, the Bible of the Christian, the Book of Mormon, the Koran, or the Veda of the Brahmin. We cannot elevate, other than by moral forces, the human soul from the low plane of ignorance and barbarism, whether it worships for its God, the Llama of the Tartars, or the Beetle of the Egyptians. But when religious opinions assume new manifestations and pass from mere sentiments into overt acts, no matter whether they be acts of faith or not, they must not outrage the opinions of the civilized world, but, on the other hand, must conform to those usages established by law, and which are believed to underlie our civilization.

But, the question returns—Is there any limit to "the free exercise of religion?" If there is not, then in the midst of the nineteenth century, human victims may be sacrificed as an atonement

for sin, and "widows may be burned alive on the funeral pile." Is there one here, who believes that such shocking barbarisms could be practiced in the name of religion, and in the "free exercise thereof" in any State or Territory of the United States? If not, then there must be a limit to this right under consideration, and it only remains for the proper tribunal at the proper time to fix the boundaries, as each case shall arise involving that question.

POWERS VESTED IN THE GOVERNOR BY THE ORGANIC ACT.

The Act of Congress organizing the Territory of Utah, and providing a Government therein, defined with sufficient certainty the duties of each Department in said Government. These several Departments were made to consist of the Executive, the Legislative and the Judicial. Amongst the duties imposed on the Governor, is that of nominating certain officers, by and with the advice and consent of the Council. The first question that arises under this head is, what officers are to be nominated by the Governor? The seventh section of said Act is in the following words: "And be it further enacted, That all township, district and county officers, not herein otherwise provided for, shall be appointed, or elected, as the case may be, in such manner as shall be provided for by the Governor and Legislative Assembly of the Territory of Utah." The Governor shall nominate, and by and with the advice and consent of the Legislative Council (not Assembly) appoint all officers not herein otherwise provided for, etc. Township, district and county officers are to be appointed or elected, as the case may be, in such manner as the Governor and Legislative Assembly may direct. It is clear to my mind that the organic Act contemplates two classes of officers, viz.: township, district and county, and another class not included in the former, which embraces all officers strictly Territorial, such as Attorney-General for the Territory, Marshal, Auditor, Treasurer, etc.

I cannot arrive at any other conclusion in the examination of the Act, than that the officers not included in the first class must be appointed by the Governor, by and with the consent of the Legislative Council, and cannot be elected, as in the former instance, by joint ballot of the Legislative Assembly. If I am right in this, then it follows that all such officers of the latter class who have been elected by the Legislative Assembly, have held such offices contrary to law and must have been removed upon the prosecution of a writ of *quo warranto*. It follows further, that if such officers acted without authority of law their acts were void, and are not binding upon the citizens. This becomes a question of much importance when

we consider the hardship and inconvenience that may hereafter grow out of the same. I respectfully submit for your consideration, whether it would not be safer either to pass some law legalizing the acts of such persons, while in the supposed discharge of their duties, or it may be that it would require an Act of Congress legalizing such assumed official acts.

Before dismissing this part of my subject, I feel it to be my duty to suggest to you whether a very grave question may not hereafter arise as to the authority of the Legislative Assembly to elect by joint ballot any of the officers denominated as "township, district or county officers." I have been unofficially advised that the word "election" as used in the Organic Act, might be held to refer to the people, and not to the Legislative Assembly. If such a question should hereafter arise, and such a possible view should be taken in deciding this question, it would involve the most serious consequences. I will express no opinion on the subject. I only raise the question for your consideration.

REVISION AND CODIFICATION OF THE STATUTES.

I respectfully call your attention to the necessity of a thorough revision and codification of the statutes of this Territory. I am aware that something was attempted at your last session in that direction; but it seems to me that the committee which had that duty under their charge stopped far short of what was required at their hands. It is the duty of the law makers to leave the statutes by which the people are to be governed so plain in their several requirements that the stranger cannot be misled. It is extremely difficult to ascertain what precise statutes are in force on many subjects in this Territory. Besides this, there are many provisions in the statutes manifestly unjust, and whilst they remain must be considered anomalies. I will not consume time in any argumentation on this subject, believing that it will be only necessary to call your attention to the facts as they exist.

Amongst the most objectionable of these provisions, may be found the following in the revised statutes of 1855, and which are still in force:

Chap. 5, relating to justices of the peace. Secs. 8, 15, 19.

Chap. 3, relating to the procedure in civil cases. Sec. 28.

Chap. 6, relating to attorneys-at-law. This whole chapter should be repealed.

Chap. 12, relating to estates of decedents. Secs. 14, 24, 25, 26. The great objection to these sections is, that no limit whatever is fixed to the value of the estate, thereby cutting off claims

which ought to be paid, when there is enough to do so, and still the family would be left in comfortable circumstances.

Chap. 18, in relation to divorces. There should be a specified time when such notice of the pendency of the application should be given to the defendant. Sec. 18 in the same chapter gives the Probate Judge power too plenary. In questions of so much importance, the party should have the benefit of a trial by jury.

Chap. 32 should be stricken from the statute. No such crime as treason against a territory is known to the laws.

I call your attention especially to sections 112 and 113, under the title of "Justifiable Killing, and the Prevention of Public Offenses." These provisions are too palpably unjust to stand a day on your statutes. It would be an easy matter for a man to be murdered, and yet under these provisions his murderer could escape under the plea that the circumstances were such as to excite his fears that certain acts either would be done or had been, for which he claimed the immunity of the statute. If your laws against the offenses therein named are not sufficiently penal, make them so; but to authorize by a public statute the killing of a man on mere suspicion that he has committed or will commit certain acts, which are less than capital upon his conviction after a fair trial, seems to be most cruel and unjust. In China, it is said that a high Mandarin of the "blue button" may kill with impunity a person suspected of stealing rice, and cut open his stomach to find the evidence of his guilt. In no other instance have I been able to find any statute or custom analogous to the one under consideration. No community can adopt the principles contained in that statute without soon becoming (dropping the figure) "as a whitened sepulchre filled with dead men's bones."

VOTING BY BALLOT.

I respectfully call your attention to Chap. 47, sec. 5. in relation to voting at elections by ballot. Said section is as follows: "Each elector shall provide himself with a vote containing the names of the persons he wishes elected, and the offices he would have them to fill, and present it neatly folded to the judge of the election, who shall number it and deposit it in the ballot-box. The clerk shall then write down the name of the elector opposite the number of his vote." Why the elector should be required, to, provide himself a vote and present it neatly folded, perhaps can be satisfactorily explained; but I confess that the object of voting by ballot is completely defeated by the above provision. Why, not, vote *viva voce* at once. The great object to be obtained in voting at our popular

elections is absolute freedom of the elector in depositing his vote. Hence it is that in most, if not all the States, the right of voting by secret ballot is secured to the elector by stringent laws. The reason is obvious. A thousand circumstances might so completely surround the elector that he would be compelled oftentimes to vote against the convictions of his judgment, and yet could not, if interested and powerful parties were permitted to exercise their control over him in the discharge of one of his most sacred duties.

In connection with this subject, I take pleasure in adopting the language of my worthy predecessor, Gov. Cummings, as being eminently fit and proper: "Many of the laws now on the statute book were passed under a condition of things which will soon cease to exist. You cannot reasonably anticipate a continuance of the partial isolation which has characterized your early history in this region. It must be borne in mind that you are situated upon the great highway between the oceans, which is already traversed by expresses and telegraphs, and is soon to witness the establishment of a railroad transporting through your valleys the commodities of the world. It would be well that you make timely preparation for changes that are fast approaching you, and are ultimately inevitable. New relations between yourselves and the outer world must occur. I would therefore urge upon you that you appoint a committee to prepare a code of laws suitable for the present and future requirements of this community. The judges are constituted your legal advisers in these matters—to them I refer you." If this was true in 1860, how much more is it true to-day? The constantly increasing travel over the great Overland Mail route, the thousands of emigrants passing yearly through your Territory, many of whom become permanent citizens, admonish all of us that your days of isolation from the outside world have forever passed. Even if it were desirable, you cannot longer remain isolated and walled in by those natural ramparts around you. Every canyon susceptible of improvement will be converted into some thoroughfare where the never ceasing tide of our population will be poured along. Every nook and valley, which for ages have been trodden by wild beasts or savage men, will become the home of some enterprising citizen whose right it will be to claim the protection of just and wholesome laws.

FINANCIAL.

I herewith annex the Auditor's and Treasurer's reports for the year 1862. They have been made out with so much clearness in their details that it is only necessary for me to refer them to you.

accompanying the former with a few brief suggestions. By reference to appended statement "A" in the Auditor's report, it will be seen that the aggregate amount of taxable property assessed within the said Territory for the year 1862 is \$4,779,518; and the same statement shows a tax due the Territorial treasury for the current year, estimated at 1 per cent., of \$47,795 18, from which will have to be taken, for cost of assessing, collecting and remittances by County Courts, at least 12 per cent.; leaving a probable nett revenue of \$42,069 76.

The whole Territorial liability, including the direct tax assessed by the United States, and assumed by the Territorial Legislature, January 17, 1862, amounts to the aggregate sum of \$40,199 31. The assets out of which this sum is to be paid, by reference to the same report, amounts to the sum of \$50,612 10, leaving a balance still in the Treasury on the 1st day of November, 1862, of \$10,412 79. The above result cannot fail in being satisfactory to you. The report of the Treasurer is so clear and concise that it is not necessary for me to add one word more than what is contained in the report itself.

Before dismissing the subject I call your attention especially to the Auditor's report for the year 1861, in regard to the aggregate value of taxable property within this Territory for that year. By examining the same you will find that such aggregate amount was \$5,032,184—thereby showing the strange fact that since that assessment was made there has been a falling off in the value of taxable property within this Territory in a single year of \$252,666, and what is still more remarkable, this apparent loss in Great Salt Lake county alone has been \$140,280, whilst, on the other hand, in the county of Davis, there has been an apparent gain of \$410,514. I am advised that the cutting of a portion of this Territory, and adding the same to that of Nevada, cannot account for this phenomenon.

If there is no mistake in these computations it presents a most remarkable fact indeed. I shall not attempt to account for it here, but call your attention to the same merely adding that in the absence of great local calamities, which affect in their nature whole communities, I question whether such an instance can be found in the history of any people. But it remains for you to account for this phenomenon. This city is the heart and centre of the county where so remarkable a deficiency has developed itself, and yet there certainly have been no natural causes for this condition of things. Not only have the people stood still in all of their indus-

trial pursuits, absolutely earning nothing over and above their current expenses that goes to swell the aggregate wealth, but there has been a positive loss, if we are to be governed by these data, in Great Salt Lake county alone, in one year, of \$140,280. Can this be so, when we take into consideration that the present year has been one of unusual prosperity, while the labors of the husbandman have been most bountifully paid, and on every hand of this thriving city unmistakable evidences of prosperity are apparent? This result can only be accounted for on one hypothesis, viz.: in former years the valuation of property has been too high, or the present year it has been too low. These fluctuations to some extent will always exist from factitious causes alone, in spite of the greatest precaution; but it is the duty of the Legislature to guard not only the people but the treasury, against abuses of the kind, if any exist. There can be no wrong to the people in the collection of an *ad valorem* tax, providing the property has been fairly assessed and its value fairly determined. The revenue is the common fund of the people, and there should be no favoritism in the collection of the same. No matter whether the individual property holder possesses ten, twenty or a hundred thousand dollars worth, he should submit to the same rules in determining its value, as if he was the owner only of one hundred or ten hundred dollars worth.

MISCELLANEOUS.

On the 29th of October last the Secretary of the Interior addressed me a letter informing me that he had designated me to receive for the Territorial Library here, two sets of the documents of the 2d session of the 36th Congress; that by the Act approved the 14th March, 1862, making appropriations for the Legislature, Executive and Judicial expenses for the Government for the year ending 30th June, 1862, there is the following provision; "Provided, that the said journals and documents shall be sent to such libraries and public institutions only as shall signify a willingness to pay the cost of transportation of the same." Upon inquiry I found that no funds were at my disposal with which to pay for such transportation, and I notified the Department accordingly.

There will doubtless be other important documents to be distributed on the same terms hereafter, and I recommend that you provide the necessary means whereby you can avail the people of this Territory of the benefits of these donations.

I am advised that the penitentiary of this Territory is in a dilapidated condition, and that some repairs are absolutely necessary in order to make the same a safe or proper receptacle

ele for public offenders. I recommend that you memorialize Congress upon that subject.

I have not been able to find any law upon your statutes inaugurating a common school system, or that any money has been appropriated with a view to that end, although you have appropriated money to other objects of much less importance, for instance, in keeping up a *quasi* military establishment at considerable expense to the people. As much as this condition of things at one period of your history may have been required, it seems to me that the time has past when the Territorial Fund should be used for that purpose at the expense of so important a measure as that which looks to the education of the rising generation amongst you. I need not dwell here upon the importance of common schools; your intelligence must supply any argumentation on my part.

The condition of the militia of this Territory is unknown to me. Although the statute organizing the same makes it the duty of the Lieutenant-General Commanding to report to the Governor, who is recognized as Commander-in-Chief, on or before the 1st day of December, annually; yet no such report has been made to me, and therefore I am wholly uninformed on the subject. If I shall hereafter deem it my duty, I may require that such report be made.

There are many other topics to which, perhaps, I ought to refer, but I have no data from which to draw conclusions. If reports on any of these subjects shall hereafter be made to me I will communicate them to you, with such suggestions as I shall deem proper.

INDIAN TROUBLES.

Complaints have been frequently made to me during the past summer and up to a recent period by immigrants who have suffered great loss and violence from hostile Indian bands who infest some parts of this and adjoining Territories, whilst peacefully pursuing their travel to such points of destination as was their right to do; and from statements which I believe to be reliable, certain residents of this Territory have been known openly to barter and trade with the Indians for clothing and other articles which they at the time must have known were the spoils and plunder from murdered citizens. These practices have, in my opinion, a direct tendency to encourage these outrages against humanity. I respectfully suggest for your consideration whether any legislation is demanded at your hands to prevent these outrages in future. The presence of a military command here will doubtless have a tendency to prevent many of these horrors.

I am glad that I am enabled to inform you that the Federal Go-

vernment has made arrangements to hold treaties with some if not all the tribes of Indians that have so long infested this and neighboring Territories, and it is to be hoped that this will be done at an early day, and the Indian title to the lands therein be speedily extinguished, and such disposition will be made of their former occupants as becomes a great, generous and just Government.

HOMESTEAD ACT.

On the 1st day of January, 1863, the Homestead Act passed on the 20th May last will go into effect, thereby enabling any person who is of the age of 21 years, or who is the head of a family, or who has performed service in the army or navy of the United States, and who has not been in arms against the United States, or given aid and comfort to the enemies thereof, and has declared his intention to become a citizen of the same, to enter on and take possession of 160 acres of any of the public lands not otherwise appropriated, and by cultivating the same for the term of five years, and paying \$10 will, upon the compliance with these conditions, be entitled to a patent for the same. Thus will it be in the power of every loyal citizen to possess a homestead of 160 acres of land, secured from all liabilities from any debts which he may have contracted prior to his patent for the same. When it is remembered that this beneficent Act was intended to secure a home to every loyal citizen, on terms so easy and just, its consequences for good cannot well be estimated to the present and future generations. What patriotic devotion does the recipient of this great boon not owe to the Government that thus shields himself and his family from the possibility of want, if he will make use of the means that God and nature have given him! What should be the character of that loyalty due from the citizen to such a Government—a Government which enables him at one bound, although ruined in his fortunes, to spring from indigence and penury to comparative ease and independence? The Indian title to the lands in our vast territories will soon be extinguished, and they will be open to settlement on the terms above presented. What inducements are there which are not held out to those just beginning life, and who may reasonably hope to witness thriving cities springing up where the wild Indian now lights his camp fires and pitches his rude lodge!

When it is also remembered that every rood of land in this Territory will be open to the citizens, upon no harder terms than that they will occupy and cultivate it, and remain loyal to our common Government, who should doubt for a moment that such a golden opportunity shall be offered in vain, or that one link shall be stricken

from the chain of sympathy that should ever bind us alike in interest, in body and soul, to that same benign and just Government?

CONCLUSION.

I have felt it my duty to urge upon your earnest consideration the suggestions and measures herein recommended; at the same time I felt that I would be wanting in proper respect to you were I to accompany each of these recommendations with an assignment of all the reasons which might be urged in their favor. I am accountable to the Government of our common country for these recommendations. You too are accountable to the same tribunal and to your immediate constituents for the disposition that you make of them. It is your province and duty to consider and discuss them, and either adopt or reject them as your wisdom shall determine.

I desire to assure you, gentlemen, that nothing in my power shall be wanting to demonstrate my honest regard for the interest and welfare of the people of this Territory. They deserve much at the hands of the Federal Government for their persevering industry; and, so far as my humble efforts may contribute to that end they shall never be wanting. No matter what differences of opinion may exist between us on many subjects, I will endeavor to convince you of my sincerity by the uprightness of my conduct, and shall always be satisfied with the discharge of my official duties, when I know that they stand approved by the general voice of the people.

May each one of you be clothed with wisdom from on high, in the discharge of the important duties which devolve upon you, and may your deliberations be such as not only to secure the lasting peace, happiness and prosperity of the people of this Territory, but also redound to the welfare and glory of our common country.

STEPHEN S. HARRISS.

Great Salt Lake City, U. T.,
December, 8, 1862.

Utah Doc

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JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH,

OF THE

THIRTEENTH ANNUAL SESSION,

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1884, Sept. 1.

BY AUTHORITY:
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**NAMES OF THE MEMBERS AND OFFICERS
OF THE
LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH,
WITH THE
STANDING COMMITTEES.**

—o—
THIRTEENTH ANNUAL SESSION, 1863-64.
—o—

M E M B E R S .

Great Salt Lake, Tooele, Summit and Green River Counties:
DANIEL H. WELLS, WILFORD WOODRUFF,
ALBERT CARRINGTON, DANIEL SPENCER.

Davis and Morgan Counties:
CHARLES C. RICH.

Weber and Box Elder Counties:
LORENZO SNOW.

Cache County:
EZRA T. BENSON.

Utah and Wasatch Counties:
L. E. HARRINGTON, AARON JOHNSTON.

Millard and Juab Counties:
AMASA M. LYMAN.

Sanpete County:
ORSON HYDE.

Iron and Beaver Counties:
GEORGE A. SMITH.

Washington County:
ERASTUS SNOW.

OFFICERS OF THE COUNCIL.

President—**DANIEL H. WELLS.**
Secretary—**PATRICK LYNCH.**
Assistant-Secretary—**JOSHUA ARTHUR.**
Sergeant-at-Arms—**PRESTON FREE.**
Messenger—**WILLIAM W. CLUFF.**
Foreman—**SAMUEL H. B. SMITH.**
Chaplain—**JOSEPH YOUNG.**

STANDING COMMITTEES.

- On Judiciary.**—ALBERT CARRINGTON, L. E. HARRINGTON, GEO. A. SMITH, ORSON HYDE.
- On Claims and Appropriations.**—WILFORD WOODRUFF, AARON JOHNSON, DANIEL SPENCER.
- On Petitions and Memorials.**—GEO. A. SMITH, LORENZO SNOW, AMASA LYMAN.
- On Revenue.**—ORSON HYDE, L. E. HARRINGTON, AARON JOHNSON.
- On Elections.**—EZRA T. BENSON, DANIEL SPENCER, ERASTUS SNOW.
- On Counties.**—CHARLES C. RICH, LORENZO SNOW, G. A. SMITH.
- On Roads, Bridges, Ferries and Kanyons.**—AMASA LYMAN, EZRA T. BENSON, AARON JOHNSON, ERASTUS SNOW.
- On Education.**—LORENZO SNOW, ALBERT CARRINGTON, ORSON HYDE, AMASA LYMAN, GEO. A. SMITH.
- On Engrossing.**—ORSON HYDE, ALBERT CARRINGTON, LORENZO SNOW.
- On Printing.**—WILFORD WOODRUFF, EZRA T. BENSON, L. E. HARRINGTON.
- On Agriculture, Trade and Manufacture.**—WILFORD WOODRUFF, GEO. A. SMITH, AMASA LYMAN, DANIEL SPENCER, A. JOHNSON, L. E. HARRINGTON, C. C. RICH.
- On Militia.**—AARON JOHNSON, C. C. RICH, EZRA T. BENSON, GEO. A. SMITH.
- On Incorporations.**—LORENZO SNOW, A. CARRINGTON, GEO. A. SMITH, C. C. RICH, AMASA LYMAN.
- On Library.**—ERASTUS SNOW, DANIEL SPENCER, WILFORD WOODRUFF.
- On Public Domain and School Lands.**—A. CARRINGTON, ERASTUS SNOW, AMASA LYMAN, ORSON HYDE.
- On Penitentiary.**—EZRA T. BENSON, L. E. HARRINGTON, CHARLES C. RICH.

MEMBERS OF THE HOUSE.

Great Salt Lake County:

JOHN TAYLOR, EDWIN D. WOOLLEY,
ALBERT P. ROCKWOOD, JOHN V. LONG,
FRANKLIN D. RICHARDS, JOHN VAN COTT.

Tooele County:

JOHN ROWBERRY.

Davis and Morgan Counties:

WILLIAM R. SMITH, JOHN STOKER.

Weber County:

JEFFERSON HUNT, LORIN FARR.

Box Elder County:

JONATHAN C. WRIGHT.

Cache County:

PETER MAUGHAN, WILLIAM B. PRESTON.

Summit and Green River Counties:

ICA ELDREDGE.

Wasatch County:

WILLIAM M. WALL.

Cedar County:

ALBERT K. THURBER, DAVID CLUFF, JR.,
JOSEPH E. JOHNSON.

Juab County:

SAMUEL PITCHFORTH.

Sanpete County:

JOHN PATTEN, REDDICK N. ALLRED.

Millard County:

THOMAS CALLISTER.

Beaver County:

CHARLES W. WANDELL.

Iron County:

HENRY LUNT.

Washington County:

ORSON PRATT, SEN.

OFFICERS OF THE HOUSE:

Speaker—JOHN TAYLOR.

Chief Clerk—THOMAS BULLOCK.

Assistant Clerk—ROBERT L. CAMPBELL.

Sergeant-at-Arms—WILLIAM C. STAINES.

Messenger—JOHN S. GLEASON.

Foreman—ORVILLE F. ATWOOD.

Chaplain—WILLIAM W. PHELPS.

STANDING COMMITTEES.

—o—

- On Judiciary**—LORIN FARR, JONATHAN C. WRIGHT, JOHN V. LONG.
- On Claims and Appropriations**—EDWIN D. WOOLLEY, ALBERT K. THURBER, ALBERT P. ROCKWOOD.
- On Petitions and Memorials**—FRANKLIN D. RICHARDS, ORSON PRATT, SEN., CHARLES W. WANDELL, DAVID CLUFF, JR.
- On Revenue**—ALBERT K. THURBER, PETER MAUGHAN, SAMUEL PITCHFORTH, JOHN STOKER.
- On Elections**—PETER MAUGHAN, W. R. SMITH, LORIN FARR.
- On Counties**—THOMAS CALLISTER, JOHN VAN COTT, WILLIAM M. WALL, HENRY LUNT.
- On Roads, Bridges, Ferries and Kanyons**—WILLIAM B. PRESTON, JOHN ROWBERRY, REDDICK N. ALLRED.
- On Education**—ORSON PRATT, SEN., CHARLES W. WANDELL, EDWIN D. WOOLLEY.
- On Engrossing**—JOHN V. LONG, FRANKLIN D. RICHARDS, HENRY LUNT, CHARLES W. WANDELL.
- On Printing**—JOSEPH E. JOHNSON, SAMUEL PITCHFORTH, JOHN PATTEN.
- On Agriculture, Trade and Manufacture**—ALBERT P. ROCKWOOD, PETER MAUGHAN, REDDICK N. ALLRED, JOSEPH E. JOHNSON.
- On Militia**—JEFFERSON HUNT, ALBERT P. ROCKWOOD, FRANKLIN D. RICHARDS, THOMAS CALLISTER.
- On Incorporations**—IRA ELDREDGE, JOHN PATTEN, JOHN STOKER.
- On Library**—WILLIAM B. SMITH, ALBERT K. THURBER, WILLIAM M. WALL, DAVID CLUFF, JR.
- On Public Domain and School Lands**—JOHN VAN COTT, PETER MAUGHAN, JOHN ROWBERRY, IRA ELDREDGE.
- On Penitentiary**—JONATHAN C. WRIGHT, EDWIN D. WOOLLEY, WILLIAM B. PRESTON, JOHN V. LONG.

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF UTAH.

—o—
THIRTEENTH ANNUAL SESSION—1863-64.
—o—

MONDAY, DECEMBER 14, 1863.

—
COUNCIL.

Monday, December 14, being the day appointed by law for the convening of the thirteenth annual session of the Legislative Assembly of the Territory of Utah, the members elect of the Council met in the Council Chamber, in the State House, Great Salt Lake City, at 1 p. m.

Meeting called to order by Patrick Lynch, Assistant Secretary of the last session, who then proceeded to call the roll, when the following members elect answered to their names;

Daniel H. Wells, Wilford Woodruff, Albert Carrington and Daniel Spencer, from Great Salt Lake, Tooele, Summit and Green River counties.

Charles C. Rich, from Davis and Morgan counties.

Ezra T. Benson, from Cache county.

Leonard E. Harrington and Aaron Johnson, from Utah and Wasatch counties.

Amasa M. Lyman, from Millard and Juab Counties.

George A. Smith, from Iron and Beaver counties.

On motion of Councilor Rich, Hon. Daniel H. Wells was elected President pro tem.

On motion of Councilor Harrington, Patrick Lynch was elected Secretary pro tem.

Councilor Lyman, moved that a committee on credentials be appointed, whereupon the President appointed Councilors Lyman-Woodruff and Johnson said committee.

The committee having obtained leave, withdrew to enter upon the duties assigned them.

Councilor Lyman, chairman of the committee on credentials reported that they had examined the credentials of the members elect and found them all correct, and that those gentlemen were entitled to seats in the Council.

On motion of Councilor Carrington, the report was accepted, and the committee discharged.

Upon the request of the President, His Excellency Acting Governor Reed administered the requisite oath to the Councilors elect, who thereupon took their seats.

On motion of Councilor Carrington, the Council proceeded to the election of its officers for the session.

On motion of Councilor Smith, Hon. Daniel H. Wells, was elected President of the Council.

His Excellency Acting Governor Reed administered the requisite oath to the President elect who thereupon took the chair and entered upon the duties of his office.

On motion of Councilor Harrington, Patrick Lynch was elected Secretary.

On motion of Councilor Smith, Joshua Arthur was elected Assistant Secretary.

On motion of Councilor Johnson, Preston Free was elected Sergeant-at-arms.

On motion of Councilor Benson, Wm. W. Cluff was elected Messenger.

On motion of Councilor Lyman, Samuel H. B. Smith was elected Foreman.

On motion of Councilor Johnson, Joseph Young was elected Chaplain.

The requisite oath of office was then administered to the Secretary, the other officers elect not being present.

The President declared the Council fully organized and ready for business.

The following message was received from the House;

Dec. 14.]

JOURNALS.

5

REPRESENTATIVES' HALL, G. S. L. City. }
December 14, 1863. }

"TO THE HON. PRESIDENT
AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—You are hereby respectfully notified that the House of Representatives of Utah Territory, is fully organized and ready for business. Very Respectfully, etc.,

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk."

On motion of Councilor Rich, a committee was sent to the House of Representatives, informing them that the Council had convened according to law, was now fully organized and ready to proceed to the business of the session, and also to wait on His Excellency Acting Governor Reed to ascertain if he had any communications to make to the Council. The President appointed Councilors Benson and Rich said committee.

Councilor Benson, on behalf of the committee, reported that His Excellency would be prepared to communicate with the Assembly at 10 A. M. to-morrow in Joint Session.

The following was received from the House:

REPRESENTATIVES' HALL, G. S. L. City, }
December 14th, 1863. }

"TO THE HON PRESIDENT
AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives has agreed to meet in the Representatives' Hall in Joint Session to-morrow at 10 A. M., to receive a communication from His Excellency the Governor.

Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Benson, the Council concurred.

On motion of Councilor Harrington, the freedom of the Council Chamber was tendered to Presidents Brigham Young and Heber C. Kimball.

On motion of Councilor Smith, the Council adjourned till 9.45 a. m.

HOUSE.

REPRESENTATIVES' Hall, State House,
G. S. L. City, U. T., Monday, Dec. 14, 1863, 1 p.m. }

The members elect of the House of Representatives, of the Legislative Assembly of the Territory of Utah, convened in the State House, pursuant to law.

The House was called to order by Mr. Thomas Bullock, Chief Clerk of the former House.

On motion of Mr. Rockwood, Hon. John Taylor was elected Speaker pro tem.

On motion of Mr. Long, Mr. Thomas Bullock was elected Clerk pro tem.

On motion of Mr. Woolley, Mr. Robert L. Campbell was elected Assistant Clerk pro tem.

On motion of Mr. Rockwood, Mr. William C. Staines was elected Sergeant-at-Arms pro tem.

Mr. Farr moved, that the Speaker pro tem appoint a committee of two, to examine the credentials of the members elect. Seconded and carried.

The Speaker pro tem appointed Messrs. Wandell and Farr said committee.

Mr Wandell, of the committee on credentials, reported that the following named members elect, were legally entitled to seats in the House of Representatives, of the Legislative Assembly of the Territory of Utah, during the session of 1863-4:

John Taylor, Edwin D. Woolley, Albert P. Rockwood, John V. Long, Franklin D. Richards and John Van Cott, from Great Salt Lake county.

Albert K. Thurber, David Cluff, Jr. and Joseph E. Johnson, from Utah county.

William R. Smith and John Stoker, from Davis and Morgan counties.

Lorin Farr and Jefferson Hunt, from Weber county.

Jonathan C. Wright, from Box Elder county.

Peter Maughan and William B. Preston, from Cache county.

John Rowberry, from Tooele county.

Orson Pratt, Sen., from Washington county.

Henry Lunt, from Iron county.

Charles W. Wandell, from Beaver county.

Thomas Callister, from Millard county.

Samuel Pitchforth, from Juab county.

Reddick N. Alfred and John Patten, from Sanpete county.

William M. Wall, from Wasatch county.

Ira Eldredge, from Summit and Green River counties.

Mr. Woolley moved, that the report of the committee be accepted and the members elect be qualified. Seconded and carried.

Mr. Farr moved, that a committee be appointed to wait upon His Honor, Chief Justice John Titus, and request his attendance in the House, for the purpose of administering the oath of office to the members elect. Seconded and carried.

The Speaker appointed Messrs. Pratt and Woolley said committee.

Mr. Pratt, in behalf of committee appointed to wait on Chief Justice Titus, reported that they had called at the office of His Honor, but could not find him nor learn his whereabouts.

Mr. Farr moved, that the same committee be instructed to wait upon His Honor, Judge Elias Smith. Seconded and carried.

On motion of Mr. Rockwood, the House took a recess of ten minutes.

Mr. Pratt, in behalf of committee appointed to wait upon Judge Elias Smith, reported that His Honor's court was at present in session.

Mr. Thurber moved, that the same committee wait upon His Honor, Amos Reed, Secretary of the Territory, and invite him to administer the necessary oath to the members elect.

His Honor Mr. Reed appeared, and was introduced to the House by the Speaker pro tem.

The roll being called, all the members were present except Mr. Richards from Great Salt Lake county, and Mr. Wright from Box Elder county.

His Honor, Secretary Reed, then administered the oath of office to all members present.

On motion of Mr. Rockwood, the House proceeded to a permanent organization, by electing the following officers:

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk

ROBERT L. CAMPBELL, Assistant Clerk.

WILLIAM C. STAINES, Sergeant-at-Arms.

JOHN S. GLEASON, Messenger.

ORVILLE F. ATWOOD, Foreman.

WILLIAM W. PHELPS, Chaplain.

The Speaker, Chief Clerk, Assistant Clerk, Foreman and Chaplain being present, were also qualified by His Honor, Secretary Reed.

The Speaker called upon the Chaplain, who offered prayer.

On motion of Mr. Rockwood, the Council were notified that the House was organized and ready to proceed to business.

Messrs. Benson and Rich, committee from the Council, appeared, and informed the House of the organization of the Council, and that they were appointed by the Council, in conjunction with a like committee from the House, to wait upon His Excellency, Acting Governor Reed, and inform him of the organization of the Assembly, and that they would be pleased to receive any communication he might have to make.

Mr. Farr moved, that a committee of three be appointed to be associated with a similar committee from the Council, to wait on the Hon. Amos Reed, Acting Governor of Utah Territory, and inform him of the organization of both Houses, and of their readiness to receive any communication he may have to make, at such time as will suit his Excellency's convenience. Seconded and carried.

The Speaker appointed Messrs. Wandell, Van Cott and Lunt said committee.

Mr. Wandell, in behalf of committee from the House, who, in conjunction with a like committee from the Council, waited upon His Honor, Secretary Reed, Acting Governor, reported that His Honor would be pleased to communicate with the Assembly, at 10. a.m. to-morrow.

On motion of Mr. Thurber, a communication was sent to the Council, informing them that the House would be pleased to meet them in Joint Session, to-morrow, at 10. a.m., in the Representatives' Hall.

The following communication was received from the Council:

"COUNCIL CHAMBER, G. S. L. City,
December 14, 1863. }

TO THE HONORABLE THE SPEAKER

AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council concur in meeting with the House in Joint Session to-morrow, at 10. a.m.

Respectfully,

D. H. WELLS, President."

On motion of Mr. Rowberry, the Minutes were read and approved.

On motion of Mr. Rockwood, the House adjourned till to-morrow at 9-45. a.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER 15, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,)
 Tuesday, December 15, 1863, 9.45 a.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Council went into joint session.

[See Joint Session Minutes.]

Upon dissolution of joint session the Council returned to their chamber.

The necessary oath was administered to the Assistant Secretary, Sergeant-at-Arms, Foreman, and Chaplain, by the President of the Council.

On motion of Councilor Harrington, the freedom of the Council Chamber was extended to His Excellency Governor Reed, Chief Justice Titus, Hon. Elias Smith, the Mayor and Members of Great Salt Lake City Council, the Regents of the Deseret University, and Ex-Members of the Legislative Assembly.

The President of the Council appointed the following

STANDING COMMITTEES OF THE COUNCIL:

ON JUDICIARY—A. Carrington, L. E. Harrington, Geo. A. Smith, Orson Hyde.

ON CLAIMS AND APPROPRIATIONS—Wilford Woodruff, Aaron Johnson, Daniel Spencer.

ON PETITIONS AND MEMORIALS—Geo. A. Smith, Lorenzo Snow, A. Lyman.

ON REVENUE—Orson Hyde, L. E. Harrington, Aaron Johnson.

ON ELECTIONS.—Ezra T. Benson, Daniel Spencer, Erastus Snow.

ON COUNTIES—Charles C. Rich, Lorenzo Snow, Geo. A. Smith.

ON ROADS, BRIDGES, FERRIES AND KANYONS—Amasa Lyman, Ezra T. Benson, Aaron Johnson, Erastus Snow.

ON EDUCATION—Lorenzo Snow, Albert Carrington, Orson Hyde, Amasa Lyman, Geo. A. Smith.

ON ENGRAVING—Orson Hyde, Albert Carrington, Lorenzo Snow.

ON PRINTING—Wilford Woodruff, Ezra T. Benson, L. E. Harrington.

ON AGRICULTURE, TRADE AND MANUFACTURE—Wilford Woodruff,

Geo. A. Smith, Amasa Lyman, Daniel Spencer, Aaron Johnson, L. E. Harrington, Charles C. Rich.

ON MILITIA—Aaron Johnson, Charles C. Rich, Ezra T. Benson, Geo. A. Smith.

ON INCORPORATIONS—Lorenzo Snow, Albert Carrington, Geo. A. Smith, Charles C. Rich, Amasa Lyman.

ON LIBRARY—Erastus Snow, Daniel Spencer, Wilford Woodruff.

ON PUBLIC DOMAIN AND SCHOOL LANDS—Albert Carrington, Erastus Snow, Amasa Lyman, Orson Hyde.

ON PENITENTIARY—Ezra T. Benson, L. E. Harrington, Charles C. Rich.

Minutes read and accepted.

On motion of Councilor Smith, Council adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City,
Tuesday, December, 15, 1863. }

Pursuant to agreement of the 14th, the Assembly met in joint session.

The President of the Council presiding called the Assembly to order.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief Clerk of the House called the roll of the House. Quorum present.

Prayer by the Chaplain of the Council.

The President declared the joint session open and ready for business.

On motion of Councilor Smith, Henry McEwan, Esq., was elected Public Printer.

His Excellency, Acting Governor Reed, having arrived, presented his Annual Message, with accompanying documents, which by order of the President were read by the Chief Clerk of the House.

GOVERNOR'S MESSAGE.

**TO THE HONORABLE COUNCIL AND HOUSE OF REPRESENTATIVES OF
THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY:**

GENTLEMEN:—As the chosen representatives of the people, you have assembled to deliberate on the manifold interests committed to your care, and devise and consummate such measures as will meet the requirements of the occasion and redound to the general weal. As a co-ordinate branch of the Legislative power, I shall be happy at all times to concur in all proper measures designed for the protection of the rights of the people of this Territory, or for the promotion of their advancement and prosperity, with which the interests of the Government of the United States are so intimately connected.

The past season has been one of general good health and of unusual prosperity to our people. The earth has yielded bountifully to the industrious hand of the husbandman, and the contents of our well filled granaries and store-houses have found a ready market, at highly remunerative rates, both at home and among the teeming populations of the northern and western mines.

Your meeting affords me an opportunity of congratulating you, as American citizens, upon the successful efforts of the General Government towards quelling an unhallowed rebellion, which has for nearly three years devastated so large a portion of our common country, and upon the well founded hope, inspired by the recent past, that peace will soon dawn upon a united and prosperous land.

As Legislators of this Territory and the representatives of a people happily far removed from the scenes of civil strife, it affords me great pleasure to be able to announce to you the termination of hostilities and depredations by the Indians, and the conclusion of treaties of peace with all the bands occupying the Territory and the southern part of Idaho.

For these blessings, under the guidance of a benign Providence, we are indebted to the loyalty of the people and the valor of our brave troops at the East, and to the efficiency, energy, and courage of the California volunteers in our midst. Committing to our brethren on the other side of the mountains, with our fullest sympathy and heartiest prayers, the honored and heroic task of crushing out the rebellion, we may safely rely on the continuance of peace within our borders, so long as the presence of the soldiers here shall restrain the savage from the commission of those outrages for which he has been so severely punished.

In accordance with universal custom, it is deemed proper to invite your attention to those subjects touching the general welfare which are likely to demand your consideration, and to suggest such as seem to be required by the wants and interests of the people.

A revision of the laws of the Territory would be desirable, and would seem to be required in view of the present inadequate and defective system; but as the expence of recodification would necessarily be great, and the urgency of the matter does not render it indispensably necessary, I cannot recommend that it be undertaken at the present time. The dawn of a new era is already opening upon the Territory, and the shifting scenes around us as well as the novel requirements which new pursuits and varied enterprises, to which this, as all other young communities is incident, will render necessary, at an early day, another compilation, as they will require other and perhaps different laws from those now on the statute book.

Forming as it does the Great Basin and the centre of our extensive mineral region, this Territory bids fair to rival her neighbors on the east, west, and north in gold and silver mines, while in her beds of baser metals she will unquestionably surpass either. The evidences of this are abundant and each day accumulate, and I congratulate you on the fact that our extended and varied resources of mineral wealth are about to be developed—indeed are already being developed—and cannot but result in a large increase of our population. These interesting facts devolve upon you, as the guardians of the public peace and welfare, new and responsible duties.

The manifold interests of Agriculture—the enduring basis of permanent prosperity—should, as I have no doubt they will, receive your special attention and be fostered by every means within your power. In this Territory, fertile as it is in all the products of the farm, and abundant as are our harvests beneath the industrious hand of the husbandman, the soil, in the main, is only susceptible of cultivation when watered by our mountain streams, or by means of artificial water courses. Our people are thus necessarily confined to a very limited area of producing land. Every acre that is capable of being made productive should, therefore, be preserved to the people and made to yield its bounteous products to the willing hand of toil, stimulated, as it unquestionably will be, by the new conditions and the bright prospects of the near future now opening upon the people. These suggestions are made in view of the events daily transpiring around us, and preliminary to calling your attention to the Spanish Fork and Sanpete Indian reservations. This

latter reservation, situated in the centre of the fertile valley of that name, and surrounded by an industrious agricultural population, is of small extent, embracing not more than five hundred acres. It has been lying idle for several years past, and there is little probability of its ever again being required for Indian purposes. The land is capable of producing good crops and, in justice to the people, ready and willing to reduce it to profitable cultivation, should be vacated as an Indian reservation, to which it is not adapted and for which it is evidently not required. The Spanish Fork reservation, at the southern end of Lake Utah, contains about fifteen thousand acres of land, of good quality, and all susceptible of irrigation. Some years since, a small portion of this reservation was cultivated as an Indian farm; but the amount of produce realized, was in no manner at all commensurate with the cost to the Government. For the past three years no work has been performed on this reservation, and it has returned to a state of nature; the farm house is in very bad repair; the fences all gone, and the land overgrown with weeds and bushes; indeed, it is to-day simply a tract of naked, wild land, with few of its improvements yet remaining, and these, at best, but monuments of decay and ruin, no less than of the mistaken policy, which seeks to ameliorate the condition of the red man, by placing him in near proximity to a thickly populated white settlement. On the other hand, it has been a fruitful source of irritation and dissatisfaction to the Indians, who are continually led to expect benefits which they never receive; and the fact that, while holding out hopes destined never to be realized, it draws the Indians into the most densely populated settlements, to the great annoyance of our citizens, whom they burthen with a heavy and continual tax, is not the least among the evils justly complained of. Even should the reservation be again devoted to Indian purposes, only a small portion of it would be cultivated, still leaving the greater part untilled and running to waste. It is estimated that the money necessarily expended annually in maintaining the reservation, would purchase for the Indians, in the market, at least double the quantity of provisions that would be obtained from the farm. After an experience of two years in the Indian service in this Territory, I am satisfied that this reservation is a detriment to the Government, to the Indians, and to the people. The withholding of such an amount of land from intelligent cultivation, in view of the great acquisition of population that we are sure to receive, is as unwise as it is impolitic, when it is considered that our people, so far removed from other sources of supply, are compelled to rely entirely on their own exertions and the limited amount of arable

land throughout the Territory. It is, therefore, respectfully recommended that you memorialize the President of the United States to vacate these Indian reservations, and throw the land open to occupation and cultivation by our citizens. Your earnest and early attention to this matter is asked, to the end that it may be brought, if possible, to a successful issue, in time to have these lands put in cultivation the coming season.

The condition of the Utah Indians in this Territory will require your further attention. Roaming as they do through all our settlements south of this city, they are and have been since the settlement of the Territory, a great annoyance to, and a continual, burdensome tax upon the people. The influx of a considerable mining population among them may result in disturbances in our midst, while the assistance that Government is constantly rendering them cannot result, situated as they are, in any permanent good.

The General Government has set apart the country drained by the Uinta river and its tributaries, extending from the Wahsatch range of mountains to the Green or Colorado river, a distance of some eighty miles, east and west with, at least an equal distance, north and south, as a reservation for the permanent settlement of these Indians. After careful examination it has been found to be most admirably adapted to that purpose. Many of these Indians are anxious, with the assistance of the Government, to remove there and settle, and it is believed that all could be readily induced to go. The reservation is more than ample for them all; contains abundance of game and is well supplied with wood, water, and grass. I recommend that you memorialize Congress for an appropriation adequate to the purpose, and with a view to making a treaty with these Indians providing for their early removal to that reservation.

Your attention is called to the great deficiency in the mail facilities of this Territory. The large population that has settled in the rich mining districts of Idaho, and the consequent great trade and travel that have sprung up between those points and this city,—their principal source of supplies—demand an increase of mail facilities. In justice to the several communities interested, there should be a daily mail, carried in coaches, from this city to Eastern Bannack and Virginia cities, with a branch of like service from the northern part of this Territory to Boise or Western Bannack.

The mails from this city, south to Payson, through the large and thriving cities in the Valley of Lake Utah, should be increased to a daily service.

The important and increasing business carried on between this

Territory and southern California requires that the mail service to the southern portion of this Territory should be extended through to San Bernardino and Los Angeles.

There should also be a weekly mail from this city west to Tooele City and Grantsville in Tooele Valley.

It is recommended that you memorialize the Postmaster-General for this increased and additional mail service.

The Pacific Railroad, so long the theme of the orator, the scholar, and the poet, the dream of the statesman and the hope of the land, is about to become a reality, and the day is not far distant when its iron bands, bearing on its breast the products of the world will unite in interest, as they are now united in sympathy and affection, the people of the Atlantic and the Pacific slopes. Each blow on this undertaking, the greatest enterprise of this or any other age, but serves to bind with hooks of steel the farthest extremities of a wide spread continent, and cement still closer the bonds of our imperishable Union. But to us it has a nearer and more practical significance; and, as its iron bands approach us each day, nearer and nearer, from the east and the west, it draws us closer to our former homes and opens to our vision the near prospect of wealth and prosperity, when the rich commerce of the far off Orient shall seek our doors through the golden portals of the Occident, to be exchanged for the products of our farms, the fabrics of our industry, and the riches of our mines. This Territory, now so far removed from the east and west by lofty mountains and barren plains, will, when this great work shall have been consummated, be the highway of the commerce of the world and the great resting place and depot of the nation. It is, therefore, with unalloyed pleasure that I can congratulate you on the successful and rapid progress of the construction of the Pacific Railroad, which is making steady and giant strides towards us. Its completion will, I have no doubt, soon place us with our inexhaustable mineral resources in the markets of the world, and cannot but redound to the rapid advancement of the Territory in all the arts of peace and all the elements of enduring wealth and prosperity. I suggest the propriety of your taking early action with the view of inducing the company building the road to erect establishments for the manufacture of iron for its construction through this region, from the immense beds of native ore which here abounds, and for which purpose coal is abundant and of suitable quality within the Territory. While such a course on the part of the company would result in a saving to it, and tend immensely to the development of the resources of the Territory, it would hasten the completion of the road by rendering

practicable the construction of the central part simultaneously with the extremities. The subject is commended to your earnest consideration, trusting that you will be able to devise the proper means to accomplish the result, and properly set forth the undoubtedly rich mineral resources of this Territory.

The mining interests of the Territory, so long dormant, under the inspiration of the wonderful progress of our sister States and Territories in such enterprises, are being rapidly developed and will claim your earnest and serious attention. Already are the eyes of thousands fixed upon our mountains as containing rich stores of yet undiscovered mineral wealth, and with the early spring, it cannot be doubted that many will hasten hither to seek for the precious ore. Unless the signs of the times and the evidences all about us are incorrectly interpreted, gold, silver, and copper mining will soon become one of the most important, if indeed, not the predominant interests of the Territory, and will require legislation at your hands. While every encouragement should be given to the development of our mineral resources, the people should not be left without some legislation for the protection of rights and the prevention of wrongs. By wise and timely action on your part, they should be enabled to prosecute their mining enterprises under such clear provisions of law, that each may fully understand his rights, and thus, as far as possible, avoid litigation and tumult. California, the first in rank of mining States in the Union, early adopted a mining code, which experience has proved to be well calculated to promote those interests and tend to the general well being of society. At an early stage of her history, a general law was passed, making the mining rules of each mining district the governing code, and giving to the regulations of the miners themselves, the force, effect, and validity of statutory enactments. This law, with such general restraining statutes as were found, from time to time, to be required, is still in force and has been found to accomplish the objects designed, far better than could the Legislature effect them by attempting to interfere too much in detail with so delicate and novel an interest. I commend the action of the California Legislature as worthy of your favorable consideration, having stood the test of time and received the endorsement of a people with the largest experience in mining pursuits. I would also recommend the immediate passage of a general Incorporation act similar to, if not identical with that adopted in California, to enable all who see proper to do so, to form companies for the development of our mining interests and, at the same time, restrict such companies so that the rights of share or

stockholders may be secured and the interests of all classes of the people preserved.

By judiciously encouraging and wisely directing the development of our mineral resources, we have reason to believe that this Territory will, at no distant day, become one of the richest and most prosperous States in the Union.

Your attention is called to the fact that, during the severe floods of the Spring of 1862, the bridge across the Provo river, near Provo city, was entirely swept away, and unless a new one is speedily erected, travel between the northern and southern settlements will be greatly impeded, if not altogether cease during the high waters of Spring. It is also represented to me that the main bridge over the Sevier river, still further south, is in a dilapidated condition, and totally unfit to accommodate the large travel between the extreme southern settlements and this city. It is hoped that you will devise some proper means to remedy these evils, which have proved a great drawback on the interests of the people, and require some action for their relief.

The annual reports of the Treasurer and Auditor of Public Accounts are herewith submitted.

The healthy condition of the finances of the Territory, as represented by these reports, is very gratifying.

From the Auditor's report it appears that the assessed valuation of the taxable property of this Territory is five millions, forty-eight thousand and two hundred dollars, (\$5,048,200;)

From the Treasurer's report it appears that there was in the Treasury, at the commencement of the fiscal year, ending Oct. 31st, 1863, five thousand, four hundred and thirty-nine dollars and sixty-eight cents, (\$5,439,68;)

That there was received into the Treasury during the fiscal year, thirty-two thousand, eight hundred and forty-five dollars and twelve cents, (\$32,445,12,)

That there was disbursed during the fiscal year, eleven thousand four hundred and eighty-five dollars and thirty-seven cents, (\$11,485,37;)

Leaving in the Treasury, at the close of the fiscal year, Oct. 31st, 1863, twenty-six thousand, seven hundred and ninety-nine dollars and forty-three cents, (\$26,799,43.)

AMOS REED, Acting-Governor,

Executive Department, U. T.,

G. S. L. City, Dec. 14, 1863.

AUDITOR'S REPORT.

To His EXCELLENCY, J. DUANE DOTY,

GOVERNOR OF UTAH TERRITORY:

SIR:—The following report of financial matters of the Territory of Utah, for the year 1863, has been delayed to give opportunity for County Assessors to make report of assessments for the current year. There are two counties which have not yet forwarded report.

The total value of assessed property within the Territory for the year 1863, obtained from county reports, is five millions, forty-eight thousand, two hundred dollars, which, at one per cent. would give a gross revenue, amounting to

\$50,482 00

Less per centage allowed assessors and collectors, and remittances by County Courts, which, judging from previous years will be at least fifteen per cent., or

7572 30

Probable nett revenue for the year 1863

\$42,909 70

The number of Auditor's Warrants issued from November 1st, 1862, to October 31st, 1863, is

12,461 70

And the number of Warrants in circulation October 31st, 1862, per former report, is

3,494 38

Total Warrants in circulation during 1862-63

15,956 08

The Treasurer reports Warrants redeemed by him and cancelled, during the current year amounting to

11,485 37

Leaving in circulation October 31st, 1863

\$4,470 71

The "statement of amounts standing to credit of sundry accounts on the Auditor's books on the 31st October, 1863," shows there a Territorial liability of eleven thousand nine hundred and thirty-seven dollars and 63 cents, which added to the amount of Auditor's Warrants in circulation at the same date, gives a total Territorial liability of sixteen thousand, four hundred and eighty dollars and thirty-four cents.

All of which is respectfully submitted by your obedient servant,
WILLIAM CLAYTON,

Auditor of Public Accounts for Utah Territory.

Great Salt Lake City, November 17, 1863.

STATEMENT of the Value of Property assessed within the Territory, for the year 1863, as reported by County Clerks, together with amount of Territorial Tax on same at one per cent.

County.	Value of Property.	Amount of Tax.
Great Salt Lake - -	\$2,056,221 00	\$20,562 24
Davis - - - -	366,591 00	3,665 91
Cache - - - -	351,484 00	3,514 84
Utah - - - -	716,540 00	7,165 40
Sanpete - - - -	298,392 00	2,983 92
Weber - - - -	293,600 00	2,936 00
Tooele - - - -	198,654 00	1,986 54
Box Elder - - - -	176,224 00	1,762 24
Washington - - - -	156,500 00	1,565 00
Millard - - - -	115,404 00	1,154 04
Juab - - - -	101,000 00	1,010 00
Summit - - (estimated)	60,000 00	600 00
Beaver - - - -	54,017 00	540 17
Wasatch - - - -	53,570 00	535 70
Iron - - (estimated)	50,000 00	500 00
	<hr/>	<hr/>
	\$5,048,200 00	\$50,482 00

AUDITOR'S WARRANTS issued from November 1st, 1862, to October 31st, 1863.

Penitentiary:

For Warden's salary	-	-	1000 00
" Warden's relief	-	-	400 00
" Labor of convicts	-	-	258 00
" Current expenses	-	-	833 48
" Arrears due H. S. Beatie	-	-	100 00
On arrears due A. McRae	-	-	75 98
On arrears due James A. Little	-	-	141 82
			<hr/> 2808 78

Roads and Bridges:

G. S. Lake and Weber coal road	2640	73
Provo Canyon Road,	2441	07
Road from North Bend to Span-		
ish Fork	500	00
Jordan Bridge	1462	24
Weber Bridge, for repairs	225	00
for rock	120	00

Weber Bridge, on arrears	505 36	
	<hr/>	810 36
Sevier Bridge, for repairs		134 67
		<hr/>
		8032 07
Incidental Expenses:		
Territorial road commissioner		307 00
Supt. meteorological observations		243 35
Auditor of Public Accounts		204 88
Surveyor General		70 48
On appropriation to Thomas Bullock		132 40
On do to R. L. Campbell		60 00
On do to P. Lynch		73 50
On do to Aurelius Miner		38 75
On do to John Jaques		12 22
		<hr/>
		1142 52
Deseret Agricultural and Manufacturing Society		443 33
On Chief Justice Kinney's order to pay board of witnesses at the March term of 3d District Court, 1863		35 00
		<hr/>
		\$12,461 70

STATEMENT of amounts standing to credit of sundry accounts on Auditor's books, October 31st, 1863.

Penitentiary Account:

Amount unexpended	\$869 15	
Due A. McRae, ex-warden	6 79	
Due Jas. A. Little, ex-warden	4 12	
	<hr/>	880 06

Roads and Bridges:

Provo kanyon road	2620 14	
G.S.L. City and Weber coal road	1024 28	
Repairing Ogden Bridge	500 00	
Repairing Sevier Bridge	300 00	
For East Weber Bridge	250 00	
Weber Bridge, balance	4772 84	
	<hr/>	9467 26

Deseret Agricultural and Manufacturing Society	743 55
Incidental Expenses, &c.:	
Territorial Treasurer's Salary	400 00
Sup't. meteorological observations	52 62
Surveyor General	278 61
Attorney General	25 00
Appropriation to Thomas Bullock	39 55
" to R. L. Campbell	15 25
" to Patrick Lynch	6 95
" to John Jaques	3 78
Balance due Adam Spiers	9 00
Unexpended appropriation for incidentals	16 00
	<hr/>
	\$11,937 63

TREASURER'S REPORT.

TREASURER'S OFFICE,
Great Salt Lake City, Nov. 17th, 1863. }

TO HIS EXCELLENCY, JAMES DUANE DOTY,
GOVERNOR OF UTAH TERRITORY:

SIR:—I have the pleasure of presenting the following report of Receipts and Disbursements of the Treasury for the fiscal year ending October 31st, 1863.

Balance in the Treasury on the 1st November, 1862, as per my last annual report, as follows:—

Bills Receivable	\$855 18	
Cash	4584 50	\$5439 68
Total amount of Receipts from November 1st, 1862, to October 31st, 1863.		<hr/> 32,845 12
		\$38,284 80
Total amount of Disbursements from Nov. 1st, 1862, to October 31st, 1863.		<hr/> 11,485 37
Balance in the Treasury on Oct. 31st, 1863		<hr/> \$26,799 43

SUMMARY

Of Receipts and Disbursements for the fiscal year ending October 31st, 1863.

RECEIPTS.

Amount received from Beaver county,	142 25
" Box Elder county,	1625 00
" Cache county,	650 00
" Davis county,	2827 12
" Great Salt Lake county,	15,329 50
" Iron county,	423 00
" Juab county,	821 39
" Millard county,	751 10
" Morgan county,	158 20
" Sanpete county,	1386 24
" Summit county,	277 80
" Tooele county,	1172 28
" Utah county,	5695 95
" Washington county,	181 00
" Weber county,	1254 29
" Wasatch county,	150 00
	<hr/>
Balance in the Treasury November 1st, 1862	\$32,845 12
	5139 68
	<hr/>
	\$38,284 80

DISBURSEMENTS.

Auditor's Warrants redeemed at the Treasury	
with cash	\$2953 14
Auditor's Warrants redeemed by receiving	
them on Territorial Taxes	8532 23
	<hr/>
Balance in the Treasury on the 31st Oct., 1863, as	\$11,485 37
before stated.	
	<hr/>
	\$26,799 43

Your most ob't. Servant,

DAVID O. CALDER,

Territorial Treasurer.

On motion of Mr. Rockwood, one thousand copies of the Governor's Message and accompanying documents were ordered to be printed for the use of both houses and for distribution.

On motion of Mr. Rowberry, the Governor's Message was ordered to be printed in the 'Deseret News.'

Mr. Long moved, that seventy five copies of the minutes of the joint sessions and daily minutes of both houses of the present assembly be printed, for the use of the members of both houses, also that seventy-five copies of the names and residences of the members and officers, and standing committees of both houses be printed in pamphlet form, for the use of the Assembly.

Minutes were called for, read, and accepted.

On motion of Councilor Smith, the joint session dissolved.

HOUSE.

REPRESENTATIVES' HALL, State House,
G. S. L. City, Tuesday, Dec. 15, 1863, 9.45 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Richards, Member from Great Salt Lake county, and Mr. Wright, Member from Box Elder county, and Mr. Staines, Sergeant-at-Arms, appeared and were qualified by Mr. Phelps, Notary Public.

The hour for joint session having arrived the Council convened with House of Representatives in their Hall

[See Joint Session Minutes.]

Upon dissolution of joint session the House resumed its sitting.

The Speaker announced the following

STANDING COMMITTEES OF THE HOUSE:

- ON JUDICIARY—Lorin Farr, J. C. Wright, John V. Long.
ON CLAIMS AND APPROPRIATIONS—Edwin D. Woolley, Albert K. Thurber, Albert P. Rockwood.
ON PETITIONS AND MEMORIALS—Franklin D. Richards, Orson Pratt, Sen., Charles W. Wandell, David Cluff, Jr.
ON REVENUE—A. K. Thurber, Peter Maughan, Samuel Pitchforth, John Stoker.
ON ELECTIONS—Peter Maughan, W. R. Smith, Lorin Farr.

ON COUNTIES--Thomas Callister, John Van Cott, William M. Wall, Henry Lunt.

ON ROADS, BRIDGES, FERRIES AND KANTONS--William B. Preston, John Rowberry, Reddick N. Allred.

ON EDUCATION--Orson Pratt, Sen., Charles W. Wandell, Edwin D. Woolley.

ON ENGROSSING--John V. Long, Franklin D. Richards, Henry Lunt, Charles W. Wandell.

ON PRINTING--Joseph E. Johnson, Samuel Pitchforth, John Patten.

ON AGRICULTURE, TRADE AND MANUFACTURES--Albert P. Rockwood, Peter Maughan, Reddick N. Allred, Joseph E. Johnson.

ON MILITIA--Jefferson Hunt, Albert P. Rockwood, Franklin D. Richards, Thomas Callister.

ON INCORPORATIONS--Ira Eldredge, John Patten, John Stoker.

ON LIBRARY--William R. Smith, Albert K. Thurber, William M. Wall, David Cluff, Jr.

ON PUBLIC DOMAIN AND SCHOOL LANDS--John Van Cott, Peter Maughan, John Rowberry, Ira Eldredge.

ON PENITENTIARY--Jonathan C. Wright, Edwin D. Woolley, William B. Preston, John V. Long.

Mr. Rockwood moved, that an appropriate committee be instructed to bring in a bill legalizing certain acts of the Auditor of Public Accounts, and authorizing the further payment of certain sums mentioned in the appropriation bill of last session.

Seconded and carried.

The Speaker appointed Messrs. Rockwood, Woolley, Farr, Long and Richards, said committee.

On motion of Mr. Richards, the House adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

—o—

WEDNESDAY, DECEMBER 16, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Wednesday, Dec. 16, 1863, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was read:

“EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Dec. 16th, 1863. }

“HON. DANIEL H. WELLS, PRESIDENT OF THE COUNCIL
OF THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY:

SIR: I have to inform you that I have appointed James W. Cummings, my private Secretary, and all communications from this Department to your honorable body will be transmitted through him.

AMOS REED,
Acting Governor.”

The following communication was received from the Governor:

“EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Dec. 15th, 1863. }

SIR: I have the honor to acknowledge the receipt of your communication of this date informing me that, “the freedom of the Council Chamber has been tendered” to me by a unanimous vote, and to respond that it will afford me pleasure to attend your sittings as often as my official duties may permit.

Very respectfully,

Your Obedient Servant,

AMOS REED,

Acting Governor.

HON. DANIEL H. WELLS,
President of the Council,
Utah Territory.”

On motion of Councilor Harrington, the committee on roads, bridges, ferries and canyons were instructed to take into consideration the condition of the State road at the Point of the Mountain south, and at the crossing of the Provo and Sevier rivers, and suggest such action as may be necessary to be taken by the Legislative Assembly.

The minutes were called for, read and accepted.

On motion of Councilor Smith, the Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 16th, 1863, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Dec. 15th, 1863. }

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES
OF THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY.

SIR: I have to inform you that I have appointed James W. Cummings, my private Secretary, and that all communications from this department to your honorable body will be transmitted through him.

AMOS REED,
Acting Governor.

Mr. Johnson, in behalf of the committee on Printing, respectfully reported that the Public Printer had just informed them that neither the Message nor accompanying documents could be furnished the House to-day.

Mr. Woolley moved, that the committee on revenue be instructed to take into consideration the propriety of appropriating one fourth of one per cent. of the Territorial Tax of 1863, to the several counties of this Territory, and bring in a bill to that effect. Seconded and carried.

On motion of Mr. Wandell, the freedom of the House was tendered to His Excellency Acting Governor Reed, Ex-Governor Young, Hon. Heber C. Kimball, Hon. J. M. Bernhisel, Hon. W. H. Hooper, Hon. Chief Justice Titus, Hon. Judge Elias Smith, Gen. P. Edward Connor and the Hon. Mayor of Great Salt Lake City.

On motion of Mr. Rockwood, the minutes were called for, read and approved.

On motion of Mr. Long, adjourned to Dec. 17, at 1 p. m.

Benediction by the Chaplain.

THURSDAY, DECEMBER 17, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Dec. 17, 1863, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Smith, the freedom of the Council Chamber was extended, during the present session to the Hons. J. M. Bernhisel and Wm. H. Hooper.

On motion of Councilor Smith, the committee on claims and appropriations were instructed to take into consideration the propriety of appropriating one fourth of the last year's revenue for the relief of the various counties, and report at an early day, by bill or otherwise.

The minutes were read and accepted, and,

On motion of Councilor Smith, the Council adjourned till 1 o'clock p. m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Dec. 17, 1863, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long presented,

Resolution requesting the Secretary to furnish the Assembly with certain newspapers, which,

On motion of Mr. Thurber, was adopted.

Mr. Wandell presented,

Petition from the citizens of Minersville to locate a Territorial road, which was read, and,

On motion of Mr. Patten, referred to the committee on roads, bridges, etc.

Mr. Farr presented,

Petition of James and Robert Watson, for the appropriation made to those who should find a coal mine within 40 miles of Great Salt Lake City, which was read, and,

On motion of Mr. Richards, referred to the committee on claims and appropriations.

On motion of Mr. Rockwood, the committee on Printing were requested to learn whether the Public Printer had accepted the appointment of the Legislature, and if so, what his facilities were to accommodate the House in printing their Minutes and other documents, and that leave of absence be granted said committee to perform their duties. Seconded and carried.

Mr. Johnson, in behalf of committee on Printing, reported that they had waited upon the Public Printer, who had accepted the appointment of the Legislature, and who would have the Governor's Message printed by to-morrow at 1 p. m., and the Minutes up to date, ready for the House on Monday, and thereafter would endeavor to have the printing despatched with punctuality.

On motion of Mr. Farr, the report was accepted.

The Minutes were read and accepted.

On motion of Mr. Woolley, the House adjourned to Friday, at 1 p. m.

Benediction by the Chaplain.

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FRIDAY, DECEMBER 18, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Dec. 18, 1863, 1 p. m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following Message was received from the House:

REPRESENTATIVES' HALL, G. S. L. City,
Dec. 17, 1863. }

THE HONORABLE THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN: The enclosed resolution, requesting the Secretary to furnish the Assembly with certain papers has been adopted by the

House of Representatives, and is now forwarded to your Honorable body for concurrence.

Very respectfully, etc.,

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk.

Which was read and returned not concurred in.

Councillor Johnson presented, (C. F. No. 1.) "An Act to incorporate the Green River ferry and White river toll road company," which was read, and,

On motion of Councilor Rich, was referred to the committee on roads, bridges, etc.

Councilor Woodruff, chairman of the committee on claims and appropriations, presented, (C. F. No. 2.) "An act for the relief of the several counties of this Territory," which was read, and,

On motion of Councilor Johnson, was laid on the table to come up in its order.

Minutes read.

On motion of Councilor Smith, the Council adjourned till Monday at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 18, 1863, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker referred the Governor's Message as follows:

First clause of paragraph 9, to the committee on Agriculture, Trade and Manufactures.

Last clause of paragraph 9, also paragraphs 10, 11, 12, 13, 14, 15 and 16 to the committee on Petitions and Memorials

Paragraph 17, to the committee on Agriculture, Trade and Manufactures.

Paragraph 18, first clause, to committee on Judiciary; last clause to committee on Incorporations.

Paragraph 20, to the committee on Roads, Bridges, Ferries and Kanyons.

The following communication from the Governor was received and read:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Dec. 17, 1863. }

THE HONORABLE JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have the honor to acknowledge the receipt of your communication, dated yesterday, informing me that the House of Representatives has voted me the freedom of the House and a seat within its bar. I thank the House for this courtesy, and shall be happy to avail myself of its privileges, by attending its sittings as often as my official duties will permit.

Very respectfully,

Your Obedient Servant,

AMOS REED,

Acting Governor.

Mr. Rockwood, chairman of special committee, to whom was referred the subject of legalizing certain acts of the Auditor of Public accounts and Treasurer, reported that they had taken the subject into consideration, and recommended the passage of the accompanying preamble and act.

Said preamble and act were read; and laid on the table to come up in order.

Mr. Richards, moved that the committee on revenue be instructed to take into consideration the importance of providing that one fourth of one per cent. on that portion of the Territorial Tax, paid by the several cities in the Territory for the year 1863, be relinquished to them and report thereon. Seconded and carried.

Mr. Richards, chairman of committee on petitions and memorials presented "Memorial for the vacation of Indian Reservations," which was read, and,

On motion of Mr. Callister, referred back to said committee with instructions to include the reservation on Corn creek.

The following was received and read:

COMMITTEE ROOMS, Dec. 18th 1863.

MR. SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Your committee on claims and appropriations, having taken into consideration the petition of James and Robert Wat-

son, find, upon examination, that the resolution referred to in said petition was repealed by an Act approved January 16th, 1862.

Therefore Legislation upon the subject, is deemed unnecessary, and we recommend that the presenter of the petition have leave to withdraw it.

EDWIN D. WOOLLEY,
Chairman of said committee."

On motion of Mr. Rockwood, leave was granted for the withdrawal of said petition.

The following was received and read:

COUNCIL CHAMBER,
G. S. L. City, Dec. 18, 1863. }

THE HONORABLE THE SPEAKER AND MEMBERS OF

THE HOUSE OF REPRESENTATIVES:

GENTLEMEN: House resolution No. 1 is herewith returned not concurred in by the Council.

Very respectfully, etc.,

DANIEL H. WELLS, President of the Council.

P. LYNCH, Secretary.

The Minutes were read and approved.

On motion of Mr. Long, the House adjourned till Monday at 1 p.m.
Benediction by the Chaplain.

—o—
MONDAY, DECEMBER 21, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Monday, December 21, 1863, 1 p.m. }

Council met pursuant to adjournment. .

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

RECORDER'S OFFICE,
G. S. L. City, December 21, 1863. }

TO THE HON. PRESIDENT AND COUNCIL OF THE

LEGISLATURE OF THE TERRITORY OF UTAH:

GENTLEMEN:—I have the honor to inform you, that your communication tendering the City Council the freedom of the Council Cham-

ber during the present session of the Legislature of Utah has been received; I am instructed to tender their grateful acknowledgements, and as far as practicable a willing response to your generous invitation.

Respectfully,

Your Obedient Servant,

ROBERT CAMPBELL, City Recorder.

Councilor Smith presented, Petition from Archibald Gardner and 53 others, for an appropriation of three hundred dollars, to defray the expenses of reconstructing the Bridge across the River Jordan, at Gardner's Mill, which was read, and

On motion of Councilor Woodruff, was referred to the committee on roads, bridges, etc.

Councilor Hyde presented, (C. F. No. 3.) "An act, dividing Utah and Cache counties."

On motion of Councilor Harrington, it was referred to the committee on counties.

The President of the Council referred the subjects contained in the Governor's Message to the appropriate committees, as follows:

That portion of the Governor's Message relating to the Agricultural interests, to the Committee on Agriculture, Trade and Manufactures.

That portion relating to the Sanpete and Spanish Fork reservations, and the propriety of memorializing Congress for an appropriation for the permanent settlement of the Indians of Utah Territory;

As also that portion relating to the increase of mail service in the Territory, to the Committee on Petitions and Memorials.

That portion relating to a General Incorporation act, to enable persons to form companies for the development of our mining interests, to the Committee on Incorporations.

That portion relating to the bridges across the Provo and Sevier rivers, to the Committee on Roads, Bridges, Ferries and Kanyons.

The following communication was received from the Hon. Secretary:

SECRETARY'S OFFICE, Utah Territory,
G. S. L. City, December 21, 1863.. }

THE HON. DANIEL H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—Considering that the Members, the Presiding Officer and the Chief Clerk of each House of the Legislative Assembly ought to be provided with postage for the transaction of their official business,

I have made an arrangement with the Postmaster of this city, by which the postage on the communications of these officers and members, marked "official business," with their signature and official title, will be paid and forwarded by him, during the present session.

I have the honor to be

Your Obedient Servant,

AMOS REED, Secretary of Utah Territory.

On motion of Councilor E. Snow, the committee on petitions and memorials were instructed to enquire into the expediency of memorializing the Postmaster-General for semi-weekly instead of a weekly mail between Fillmore and Santa Clara.

The following message was received from the House:

REPRESENTATIVES' HALL, G. S. L. City, }
December 21, 1863. }

THE HONORABLE THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The enclosed "memorial for the vacation of Indian reservations", has this day passed the House of Representatives, and is now respectfully sent to your honorable body for concurrence.

JONH TAYLOR,

Speaker of the House.

THOMAS BOLLOCK, Chief Clerk.

"Memorial for the vacation of Indian reservations" was read, and,

On motion of Councilor E. Snow, was referred to the committee on petitions and memorials.

On motion of Councilor Benson, the committee on petitions and memorials, were instructed to consider the expediency of memorializing the Postmaster General, for semi-weekly instead of weekly mail service from G. S. L. City, through Cache county to Bannack City, Idaho Territory.

(C. F. No. 1) "An act for the relief of the several counties of this Territory," was read for the first time, and,

On motion of Councilor Spencer, passed its first reading.

On motion of Councilor Hyde, the committee on memorials were instructed to incorporate, in their memorial to Congress, the extension of the mail route from Fairview to Springtown, in Sanpete county, to Fort Ephraim, in said county, a distance of nine miles from Springtown, where it will intersect the route running from Nephi City, in Juab county, to Manti, in Sanpete county, and for the extension of said route from Manti to Fort Gunnison, in said county; distance 18 miles.

(C. F. No. 2) "An act for the relief of the several counties of this Territory," was read the second time by sections, and,

On motion of Councilor Johnson, was referred back to the committee on claims and appropriations.

The Minutes were read and accepted.

On motion of Councilor E. Snow, the Council adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Monday December 21, 1863. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Assistant Clerk.

Roll called. Quorum present.

On motion of Mr. Long, Hon. Orson Pratt was called to the Speaker's chair.

Mr. Wright presented, Petition of Abraham Hunsaker and others, for the right to establish and control a ferry or ferries on Bear river north, in Box Elder county, which was read, and,

On motion of Mr. Rockwood, referred to the committee on roads, bridges, ferries and canyons.

Mr. Long moved, that the freedom of the House be extended to the ex-members of the Legislative Assembly.

Mr. Wandell presented, Resolution requesting the Hon. Secretary of the Territory to furnish the newspapers published in the Territory to the members and officers of the House, which was read, and,

On motion of Mr. Long, adopted.

Mr. Gleason, Messenger, appeared, and was qualified by Judge Wright.

Mr. Maughan presented, Communications from Feramor Little, E. R. Young and Frederick Kesler, Directors of the Utah Penitentiary, with Warden's Report, which was read.

DIRECTORS' OFFICE, Salt Lake City. }
December 18, 1863. }

HONORABLE JOHN TAYLOR, AND THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—In compliance with an act of the Legislative Assembly of the Territory of Utah, approved January 20, 1862, here-

with find report of the condition of the Utah Penitentiary, and an approximate estimate of the means necessary to defray the expenses of the ensuing year. Also, the report of the Warden of said Penitentiary, showing the number of convicts, their condition, when, for what, and how long sentenced, specifying how many Territorial, the fiscal affairs, and the avails arising from the labor of convicts.

We have the honor to be,

Very Respectfully,

Your Obedient Servants,

FERAMORZ LITTLE,

E. R. YOUNG,

FREDERICK KESLER.

MR. SPEAKER, AND THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—There having been no provision made for repairing the cells, walls, &c., of the Utah Penitentiary, they remain in the same dilapidated condition, as at the date of our last report, and the means placed at our disposal have been found inadequate to procure a sufficient guard, in its present state, for the safe keeping of the convicts, and we would recommend an appropriation of Five Thousand Dollars, to defray the expenses of said Penitentiary, for the ensuing year.

Very Respectfully,

FERAMORZ LITTLE,

E. R. YOUNG,

FREDERICK KESLER.

G. S. L. City, Dec. 13, 1863.

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WARDEN'S REPORT.

WARDEN'S OFFICE, G. S. L. County, }
December 11, 1863. }

TO MESSRS. FERAMORZ LITTLE, FREDERICK KESLER, AND E. R. YOUNG,
Directors of the Utah Penitentiary.

GENTLEMEN:—I herewith submit a report to you of the expenditures in the several departments of the institution, from the 30th day of November, 1862, to the 1st day of December, 1863, inclusive. Also an account of bills receivable, and a general statement of facts, you may need to aid you in making your report to the Legislative Assembly, as contemplated by law.

Very Respectfully, Yours,

A. P. ROCKWOOD, Warden of Utah Penitentiary.

FINANCIAL REPORT for the Fiscal Year, ending November 30th, 1863.

WARDEN'S OFFICE, G.S.L. County, }
November 30, 1863. }

STATEMENT A.

	Amount Pd. Out.	Amount Consum'd	Amount on hand.
Amount expended in office department	\$2 50	\$2 50	\$91 25
" " in tool department	59 22	2 50	141 02
" " in cooking utensils	9 57	6 47	124 19
" " prison furniture	15 00	32 89	208 00
" " guard	548 58	550 08	22 75
" " hospital	140 29	137 29	7 00
" " fuel	234 41	119 41	180 00
" " repairs on prison	12 50	12 50	12 50
" " clothing	197 22	197 22	300 00
" " supply	574 00	595 25	177 50
" " bedding		14 20	53 00
" stock for manufacturing	45 97		503 37
Amount unexpended, auditors' draft			135 02
Total amount expended	\$1839 08		
Total amount consumed		\$1670 35	
Total amount on hand			\$1655 60

STATEMENT B.

BILLS made receivable for the past Fiscal Year unpaid.

Amount due from Territorial Road Commissioner, for labor of convicts on road	\$27 00
Amount due from Charles Decker, overpay on wood	5 56
" Long & Hart, labor of convict	21 05
" Ebenezer Brown, labor of convict	65 00
" from U. S. for expenses incurred in keeping Indians awaiting trial	140 25
Amount due from U. S. for the balance of expense incurred for convicts committed by U. S. Court, April, 1863	191 50
Total amount	\$450 36

STATEMENT C.

Amount of property in the several departments as reported in the last annual report	\$1175 28
Amount reported unexpended in Warden's hands	263 09
Total amount	\$1438 37

—o—

STATEMENT D.

Amount shown in statement A. on hand	\$1655 60
“ “ B. on hand	450 36
Total amount shown in statements A. & B. on hand	\$2105 96
Amount of property on hand in last report as set forth in statement C.	1438 37
Which amount deducted from the amounts of A. & B.	
shows an increase of property on hand of	\$667 59

—o—

STATEMENT E.

Amount received and due for labor, rent, &c.	\$1354 11
Amount of convict labor charged to stock account	318 75
Total amount received and due for labor, &c.	\$1672 86
Amount consumed in statement A.	1670 35
Which amount deducted from receipts and dues, shows a nett profit on the convicts of	\$2 51
excepting Warden's services.	

—o—

STATEMENT F.

Amount due from U.S. for keeping convicts for 1860	\$752 26
“ “ Ex-Warden McRae	152 00
“ “ Daniel Carn	60 00

Amount due from Bryant Stringham, convict labor	51 25
" " U. S. for expenses incurred keeping	
Indian	10 00
Total amount	<u>\$4025 51</u>

These amounts (which were included in last year's report) are still unpaid, some of them are in successful progress of collection, others are somewhat doubtful.

—o—

STATEMENT G.

Amount shown due by statement F.	\$1025 51
" " B.	450 36
" on hand " A.	1655 60
Total amount	<u>\$3131 47</u>

—o—

STATEMENT H.

Amount due as shown in statement B.	\$450 36
Increase of stock as shown in statement D.	667 59
Amount profit of convicts shown, statement E.	2 51
Total	<u>\$1120 46</u>
Amount received on bills reported receivable in last report, over and above the amount disbursed on bills payable	229 04
Amount received for stock accounted for in last report	51 84
Draft on Auditor, No. 1.	437 58
" " No. 2.	300 00
Amount received for U. S. convict labor	102 00
Total amount received	<u>\$1120 46</u>

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HISTORICAL REPORT.

There were three Territorial convicts in the Penitentiary at the last annual report namely:—

Truelove Manhard, for robbery.

John H. Winslow, for larceny.

George Wood, for murder.

Also two U. S. prisoners, committed for safe keeping, awaiting trial before the U. S. District Court.

Territorial Convicts Committed:

Joseph Brundage, for larceny, committed February 24th, for one year.

Isaac Potter, for larceny, committed June 8th, for one year, discharged by writ of habeas corpus, June 28d, by Thomas J. Drake, Associate Justice Supreme Court, U. S. U. T.

Peter Clemgard, for murder in the second degree, committed March 28th, for 15 years, pardoned by Stephen H. Harding, Governor U. T., March 31st.

Christian Neilson, for murder in the second degree, committed March 28th, for 12 years; pardoned by Stephen H. Harding, Governor U. T., March 31st.

Abraham Taylor, Kadrup Neilson, Janse Christianson, Andrew Lee and Andrew M. Mason, for murder in the second degree, committed March 23th, each for 10 years, pardoned by Stephen H. Harding, Governor U. T., March 31st.

Verulam Dive, for grand larceny, committed September 13th, for 5 years.

Thomas Watson, for larceny, committed October 7th, for 2 years.

William Darling, for larceny, committed September 17th for 3 $\frac{1}{2}$ years.

United States Convicts.

Charles Davy, for purchasing arms from U. S. soldiers, committed April 3d, for 20 days.

Thomas C. Armstrong, committed April 8th, for 5 days.

William Burton, for larceny, committed April 11th, for 60 days.

Alonzo Gavitt, for larceny, committed, April 11th, for 60 days.

Edward Ray, for larceny, committed April 11th, for 1 year, escaped April 30th.

James Talbot, for perjury, committed April 15th, for 90 days; escaped April 30th, they were both (Ray and Talbot) retaken by officers of Cache county, and by them committed to Captain Black, commander of a company of U. S. California Volunteers, for safe keeping and return, and by him retained several days, but again escaped since which time they have eluded re-arrest.

The general health of the convicts has been good, most of the expense in the hospital department has been incurred by the broken limb of Henry H. Winslow.

I have appointed a number of deputies as circumstances required from time to time, to assist me in carrying out the sentence of the courts, none of these have any claims upon the Territory for their services.

None of the Territorial convicts have escaped this season.

GENTLEMEN:—If any further information or explanation is necessary to give you a more perfect understanding, the books, papers and services of your humble servant are at your command.

Respectfully.

A. P. ROCKWOOD, Warden.

P. S. December 2d, 1863, I have this day arrested at Camp Douglas and re-committed to prison, Henry Angle, an escaped convict, who absconded the 10th of July 1862.

A. P. R., Warden.

I have received a draft on the Auditor of Public Accounts, calling for four hundred dollars for my private benefit, which was honored at sight.

A. P. ROCKWOOD.

On motion of Mr. Woolley, referred to the committee on Penitentiary, and 60 copies thereof ordered to be printed in pamphlet form

The following communication from Secretary Reed was received and read:

SECRETARY'S OFFICE, Utah Territory,
G. S. L. City, December 21, 1863. }

THE HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—Considering that the Members, the Presiding Officer and the Chief Clerk of each House of the Legislative Assembly ought to be provided with postage for the transaction of their official business, I have made an arrangement with the Postmaster of this city, by which the postage on the communications of these officers and members, marked "official business," with their signature and official title, will be paid and forwarded by him, during the present session.

I have the honor to be

Your Obedient Servant,

AMOS REED, Secretary of Utah Territory.

Mr. Richards, chairman of committee on petitions and memor-

ials, to whom was referred "Memorial for the vacation of Indian reservations," reported the same back.

Said memorial was read, and,

On motion of Mr. Wright, adopted.

Mr. Allred presented, Resolution instructing the Warden to cancel certain amounts, standing on Penitentiary books, which was read and laid on the table to come up in its order.

Mr. Rockwood presented, a bill, entitled "An act prescribing the time for completing an assessment," which was read and laid on the table.

Mr. Wandell presented, a bill, entitled "An act, authorizing the issuing of executions against judgment debtors, non-residents of the county," which was laid on the table to come up in its order.

Mr. Johnson presented, a bill entitled "An act changing the time of holding the Supreme court and District courts in the 1st and 2d judicial districts," which was laid on the table to come up in its order.

Mr. Pratt presented, a bill entitled "An act supplementary to an act to incorporate the City of St. George, in Washington county," which was laid on the table to come up in its order.

The business in order being called for

"Resolution authorizing the Warden to cancel certain amounts standing on the Penitentiary books," was read and laid over till the 22d.

"An act prescribing the time for completing an assessment," was taken up on its first reading, and,

On motion of Mr. Thurber, passed.

(H. F. 5) "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," was taken up and read, and,

On motion of Mr. Johnson, referred to the committee on judiciary.

(H. F. 6) "An act changing the time of holding the Supreme Court and District Courts, in the 1st and 2d Judicial districts, was taken up and read, and,

On motion of Mr. Wandell, referred to the committee on judiciary.

(H. F. 7) "An act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," was taken up, read and referred to the committee on incorporations.

The minutes were read and approved.

On motion of Mr. Wright, the House adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

TUESDAY, DECEMBER, 22, 1863:

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Tuesday, December 22, 1863, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was read:

G. S. L. City, December 22, 1863.

**TO THE HON. THE PRESIDENT AND MEMBERS OF THE
LEGISLATIVE COUNCIL:**

GENTLEMEN:—You are hereby respectfully tendered the use of the reading room and library in the Seventies' Council Hall, and are invited to attend the School of Science in the same hall, on Thursday evenings. The reading room open from ten a.m. to four p.m. daily.

Your Obedient Servant,

JOSEPH YOUNG, SEN.

On motion of Councilor Rich, the thanks of the Council was unanimously tendered to President Joseph Young, for his kindness in extending the above privileges to the Members.

On motion of Councilor Hyde, the Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
December 22, 1863, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented, petition of Joseph Young, Sen., for renewal of Bear river ferry charter, which was read, and;

On motion of Mr. Long, referred to the committee on roads, bridges, ferries and kanyons.

Mr. Richards presented, a bill for "An act to provide for the organization of telegraph companies, which was read, and,

On motion of Mr. Wandell, referred to the committee on incorporations.

Mr. Rockwood presented, a bill entitled "An act in relation to Territorial, county and city taxes," which was read, and,

On motion of Mr. Richards, referred to the committee on revenue.

Mr. Eldridge presented, a bill entitled "An act to repeal an act entitled, an act appointing a Superintendent of the Provo kanyon road, and specifying the rates of toll to be collected thereon," which was read, and,

On motion of Mr. Van Cott, referred to the committee on roads, bridges, ferries and kanyons.

Mr. Allred presented, "resolution authorizing the Treasurer to expunge from his books the amount due on bills receivable," which was read, and,

On motion of Mr. Pratt, was referred to the committee on revenue.

The business in order being called for

(H. F. 2) "A preamble and an act legalizing certain acts of the Auditor and Treasurer," was taken up on its first reading.

(H. F. 3) "Resolution authorizing the Warden to cancel certain amounts standing on the Penitentiary books," was read and referred to the committee on penitentiary.

(H. F. 4) "A bill entitled an act prescribing the time for completing an assessment," was read and referred to the committee on revenue.

The minutes were read and approved.

On motion of Mr. Lunt, adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

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WEDNESDAY, DECEMBER 23, 1863.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Wednesday, December 23, 1863, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Smith, chairman of the committee on petitions and memorials, to whom was referred House "Memorial for the vacation of Indian reservations," reported the same back, with a recommendation for concurrence therein.

On motion of Councilor Harrington, the report was received and the memorial concurred in, and the House notified accordingly.

Councilor Rich, chairman of the committee on counties, to whom was referred [C. F. No 3,] "An act dividing Utah and Cache counties," made the following report:

"Your committee, to whom was referred "An act dividing Utah and Cache counties," beg leave to report the following substitute, and recommend its passage.

On motion of Councilor Harrington, the report was received and the bill read the first time, and an ended, and,

On motion of Councilor Smith, the bill was recommitted to the committee on counties, with instructions to take into consideration the propriety of dividing Washington county, and if so, to include the same in said bill.

Councilor Benson, presented resolution requesting the Hon. Secretary of the Territory, to furnish the members and officers of the Council, with copies of the newspapers published in the Territory during the present session, as also the telegraphic dispatches.

On motion of Councilor L. Snow, passed.

The following message was received from the House:

REPRESENTATIVES' HALL, G. S. L. City.
December 23, 1863. }

THE HONORABLE THE PRESIDENT
AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The enclosed resolution, to petition the Acting Governor for a standard set of weights and measures has passed the House, and is now sent for the concurrence of your honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker.

Said resolution was read, and,

On motion of Councilor Smith, was referred to the committee on agriculture, trade and manufactures.

The following message was received from the House:

REPRESENTATIVES' HALL, G. S. L. City,
December 23, 1863. }

THE HONORABLE THE PRESIDENT
AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The enclosed "Preamble and an act legalizing certain acts of the Auditor and Treasurer," has passed the House, and is sent to your Honorable body for concurrence.

Very Respectfully,

JOHN TAYLOR, Speaker.

Said preamble and act was read, and,

On motion of Councilor E. Snow, was referred to the committee on claims and appropriations.

The minutes being called for, were read and accepted.

On motion of Councilor Benson, the Council adjourned till Monday, the 4th Jan., 1864, at 1 p.m.

Benediction by the Chaplain.

—o—

HOUSE.

REPRESENTATIVES' Hall,
G. S. L. City, Dec. 23, 1863, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion of Mr. Rowberry, Hon. Orson Pratt, Sen., was called to the chair.

Prayer by the Chaplain.

Mr. Callister, presented petition of Nathan Davis, for appropriation to buy a set of standard weights and measures, which was read and referred to the committee on claims and appropriations.

The Speaker arrived and took the chair.

The following was received and read:

MR. SPEAKER AND MEMBERS OF THE HOUSE:

GENTLEMEN:—Your committee on roads, bridges, etc., to whom was referred the petition of Abraham Hunsucker, Lorenzo Snow and Jonathan C. Wright, have taken it into consideration, and beg leave to report adversely to granting said petition.

We have also taken into consideration the bill entitled,

"An act to repeal an act entitled, an act appointing a Superia-

tendent of the Provo kanyon road, and specifying the rates of toll to be collected thereon," and beg leave to recommend the passage of accompanying bill.

Wm. B. PRESTON, Chairman."

Said bill "an act to repeal an act, appointing a Superintendent of the Provo kanyon road, and specifying the rates of toll to be collected thereon," was read, and laid on the table to come up in its order.

The following was received and read:

"COMMITTEE ROOM, Dec. 23, 1863.

MR. SPEAKER AND GENTLEMEN OF THE HOUSE:

Your committee, to whom was referred [H. F. 9,] entitled "An act in relation to Territorial County and City Taxes," report the same back, and recommend that the proviso in the first section be stricken out, and that the bill so amended pass.

A. K. THURBER,

Chairman of committee on revenue."

Said bill was read, and laid on the table to come up in its order.

The following was received and read:

"COMMITTEE ROOM, Dec. 23, 1863.

MR. SPEAKER AND GENTLEMEN

OF THE HOUSE OF REPRESENTATIVES:

Your committee, to whom was referred [H. F. 11,] "Resolution authorizing the Treasurer to expunge from his books the amount due on bills receivable," report the same back, and recommend its adoption.

A. K. THURBER,

Chairman of committee on revenue."

Said resolution was read, and laid on the table to come up in its order.

A message from the Council was received, announcing their concurrence in "memorial for the vacation of Indian reservations."

Mr. Farr, presented petition of Chester Loveland and others, for charter to run a steamboat from Jordan bridge to Bear river, which was read, and referred to the committee on incorporations.

Mr. Woolley, presented resolution to petition the Acting Governor for a set of standard weights and measures, which was read, and,

On motion of Mr. Richards, adopted.

Mr. Richards, presented resolution relating to the publishing and

distribution of the laws and journals of the twelfth annual session, which was read and referred to the committee on printing.

The business in order being called for,

[H. F. 2,] "A preamble and an act legalizing certain acts of the Auditor and Treasurer," was taken up and passed its second reading.

On motion of Mr. Pratt, said bill passed its third reading.

The title of said bill was read and passed.

A bill entitled "An act in relation to Territorial, County and City Taxes," was taken up on its first reading.

[H. F. 12,] "An act to repeal an act entitled, an act appointing a Superintendent of the Provo kanyon road, and specifying the rates of roll to be collected thereon," was taken up on its first reading.

Mr. Pitchforth moved, that the committee on judiciary take into consideration the propriety of amending the law, entitled "An act in relation to Justices of the peace, approved Feb. 4, 1852," so as to cause Constables elected by authority of said act, to file bonds with the Probate Clerks in their respective counties, and subscribe an oath of office for the faithful performance of their duties. Seconded and carried.

Mr. Pitchforth, presented a bill entitled, "An act for the better regulation of stray pounds and for other purposes," which was referred to the committee on counties.

Mr. Eldredge, chairman of committee on incorporations, to whom was referred [H. F. 7,] "An act supplementary to an act to incorporate the city of St. George in Washington county, approved Jan. 17, 1862," reported the same back, and recommended its passage.

Said bill was taken up on its first reading.

By letter, Prest. Joseph Young, Sen., respectfully tendered the freedom of the Seventies Reading Room and Library; also the School of Science held in the Seventies Council Hall, on Thursday evenings, to the members of the House of Representatives.

On motion of Mr. Richards, a vote of thanks was tendered to Prest. Joseph Young, for his courtesy to the House.

On motion of Mr. Allred, the House adjourned the Council concurring, till Monday, January 4, 1864, at 1 p.m.

Benediction by the Chaplain.

MONDAY, JANUARY 4, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Monday, January 4, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication was received from H. W. Carpentier, President California State Telegraph Company, praying for the passage of an act to encourage the construction of telegraph lines in the Territory of Utah, which was read, and,

On motion of Councilor E. Snow, was referred to the committee on incorporations.

Councilor Woodruff, chairman of the committee on claims and appropriations, to whom was referred [H. F. No. 2,] "A preamble and an act legalizing certain acts of the Auditor and Treasurer," reported the same back with a recommendation for concurrence.

Said bill was read the second time, and,

On motion of Councilor Carrington, was laid on the table till called for;

On motion of Councilor Carrington, the freedom of the Council Chamber was tendered to Hon. H. W. Carpentier, President California State Telegraph Company.

Councilor L. Snow, presented petition from W. W. Raymond and fifty-nine others, praying for an appropriation of fifteen hundred dollars, to enable them to complete a sum sufficient to erect a bridge across the Weber, near Plain City, which was read, and,

On motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and kanyons.

The following was received from the House:

REPRESENTATIVES' HALL, G. S. L. CITY,
January 4, 1864. }

HON. D. H. WELES

AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The enclosed memorial to Congress has been adopted by the House, and is now submitted to your Honorable body for concurrence.

Very Respectfully,

JOHN TAYLOR, Speaker.

Said memorial was read, and,

On motion of Councilor Woodruff, was referred to the committee on petitions and memorials.

The following message was received from the House:

GENTLEMEN:—The enclosed "Resolution, authorizing the Treasurer to expunge from his books a certain amount due on bills receivable," has passed the House, and is now sent to your Honorable body for concurrence.

Very Respectfully,

JOHN TAYLOR, Speaker

Said resolution was read, and,

On motion of Councilor Rich, was concurred in.

Councilor Woodruff, chairman of the committee on agriculture, trade and manufactures, to whom was referred [H. F. 18,] "Resolution to petition the Acting Governor for a standard set of weights and measures," reported the same back by substituting [O. F. 5,] "A resolution for obtaining a standard set of weights and measures," which was read, and,

On motion of Councilor E. Snow, was adopted, and sent to the House for concurrence.

The minutes being called for, were read and accepted.

On motion of Councilor Smith, the Council adjourned till tomorrow, at 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Monday, January 4, 1864, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Lunt presented, petition of Charles Edward Pearson to have "Wood" added to his name, which was read and referred to the committee on petitions and memorials.

Mr. Wandell presented, "Memorial to Congress, for an Act authorizing the removal of the Indians in Utah Territory to the Uinta Reservation," which was read, and,

On motion of Mr. Long, adopted.

Mr. Wandell presented, a bill entitled, "An act for the formation of corporations," which was read, and,

On motion of Mr. Preston, referred to the committee on incorporations.

Mr. Rockwood presented, a bill entitled, "An act to amend an act, amending an act, granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river," which was read, and,

Referred to the committee on roads, bridges, &c.

Mr. Preston, chairman of committee on roads, bridges, &c., to whom was referred the petition of Joseph Young, sen., reported a bill entitled "An act, granting unto Joseph Young, sen., the right to establish and control ferries on Bear river."

Said bill was read, and laid on the table to come up in its order.

Mr. Thurber presented, petition of grand jurors for Utah county, for an appropriation out of the Territorial revenue to aid their county, which was read and referred to the committee on revenue.

Mr. Eldredge, chairman of committee on incorporations, reported back "An act to provide for the organization of telegraphic companies," which was read the first time.

The following was received and read:

TO THE HON. THE LEGISLATIVE ASSEMBLY

OF THE TERRITORY OF UTAH;

GENTLEMEN:—I have the honor to present a statement of the condition of the roads and bridges in the Territory, and the amount expended upon the same since my last annual report.

At the last session of the Legislative Assembly several appropriations were made for the benefit of roads and bridges, and among them one of \$250, to repair the bridge at East Weber. On examination I found that amount inadequate to the repairs necessary, and have not yet made the improvement required.

An appropriation was also made to repair the Sevier bridge, which as yet, has not all been expended, and in my judgment an application of means on the old structure would not be advantageous to the interest of the Territory.

A bridge has been built by donation across the Jordan river at Gardner's Mill, during the summer, at an outlay, I have been informed of about \$1000. I have been solicited to aid in the matter, as the work has not been fully completed, and respectfully refer the same for your consideration.

In my last report, your attention was called to that portion of Great Salt Lake City and Weber road, running through Silver

Creek kanyon, which was destroyed by the high water of 1862. As it is the great thoroughfare to and from the East, the demands of the traveling public required that, repairs be made thereon; and during the summer, by the bursting of a cloud in Big Kanyon, the road was rendered impassible, thereby involving an outlay of several hundred dollars, consequently I have expended on my responsibility on the said road \$3839,31, and in Silver Creek kanyon it will require an additional outlay to complete the work.

Your attention is respectfully called to the bridges across the Ogden, Weber, Provo and Sevier rivers, and I would recommend such appropriations be made for building and repairing them as in your judgment they require; and also ask that an appropriation be made to cancel the amount expended on the Great Salt Lake City and Weber road.

Respectfully,

THEODORE MCKEAN,

Territorial Road Commissioner.

Great Salt Lake City, Dec. 31, 1863.

On motion of Mr. Long, said report was ordered to be spread on the minutes, and referred to the committee on roads, bridges, &c.

Mr. Farr, chairman of committee on judiciary, to whom was referred, [H. F. 5.] "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," reported favorable to the passage of aforesaid act without amendment.

Said bill was read the first time.

Mr. Farr, chairman of committee on judiciary to whom was referred, a bill entitled "An act changing the time of holding the Supreme and District courts in the First and Second Judicial Districts," respectfully reported the same back and recommended its passage.

Said bill was read the first time.

The business in order being called for.

[H. F. 9.] "An act in relation to Territorial, County and City taxes," was taken up and referred back to committee on revenue, with instructions to so amend the bill as to authorize school districts to assess an ad valorem tax for the payment of school teachers.

[H. F. 12.] "An act to repeal an act entitled an act appointing a superintendent of the Provo kanyon road and specifying the rates of toll to be collected thereon," was taken up and read the second time.

[H. F. 7.] "An act supplementary to an act to incorporate the city of St. George in Washington county, approved Jan. 17, 1862," was taken up and read the second time.

[H. F. 11.] "Resolution authorizing the Treasurer to expunge from his books a certain amount due on bills receivable" was read the second time.

Said resolution was read the third time by its title and so passed.

[H. F. 18.] "An act granting unto Joseph Young, sen., the right to establish and control ferries on Bear river," was taken up and read the first time.

The minutes were read and approved.

On motion of Mr. Wandell, the House adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

—o—

TUESDAY, JANUARY 5, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Tuesday, Jan. 5, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Rich presented, petition from S. B. Tanner and eighty-seven others, praying for the organization of a county, in the eastern part of Weber county, including Ogden valley, which was read, and,

On motion of Councilor Harrington, was referred to the committee on counties.

Councilor Woodruff presented, report of Deseret Agricultural and Manufacturing Society, which was read, and,

On motion of Councilor Smith, was ordered to be spread upon the minutes, and one hundred copies to be printed in pamphlet form, for the use of the Assembly.

REPORT

Of the Board of Directors, of the Deseret Agricultural and Manufacturing Society:

TO THE HONORABLE THE

LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH:

GENTLEMEN!—In view of raising the Sorghum and Imphee canes

and other seeds in purity, the Board of Directors have fenced five or six acres of land on the Quarantine grounds, near the mouth of Emigration kanyon, and cultivated thereon the Imphee cane, which, when manufactured on Cook's evaporator, has produced one gallon of good syrup from five gallons of juice, while from all other samples of cane, manufactured by the same evaporator, it has taken from seven to twelve gallons of juice to make one gallon of syrup.

The Board have also caused to be planted different kinds of cane seed, upon grounds several miles from other cultivation. Reports from these, represent the seed as much degenerated. The Sorghum obtained from the Patent office at Washington, labelled "Imported from France," which was planted near White's Fort, proved highly adulterated with broom corn.

Experiments, so far, have proven that the Imphee syrup will granulate much quicker than the Sorghum. From a cask of Imphee syrup, over one hundred pounds of sugar has been produced; a sample of which is herewith presented. There is on hand about one hundred and fifty pounds of the Imphee seed, to be distributed as premiums and for sale.

There has been raised, from the experimental gardens, Old Fort, G. S. L. City, two hundred and fifty-seven pounds of good madder seed; a small portion of the madder root was dug, and a fine sample of the same, prepared for dyeing, was on exhibition at the late Fair. The seed being so plentiful, it is now within the reach of all our farmers, to grow their own madder.

Concerning Indigo seed, the Board have written, the Agricultural Commissioner at Washington, requesting that samples of the same might be forwarded for cultivation in the southern portion of the Territory.

Several hundred pounds of a superior quality of oats have been raised this season, which will produce forty-two pounds to the bushel, also eighty-six pounds of Siberian wheat, lately introduced into California, and valued highly on account of its productiveness.

The Board have distributed to country settlements gratuitously, hundreds of scions of the best fruit, principally apple, plum, peach and apricot, and still hold themselves in readiness, to respond in furnishing cuttings of such fruit as has been proven here, and pronounced by our Horticulturists worthy of propagation.

There has been received from the Commissioner of Agriculture, Washington, quite a variety of seeds; also from Amos Reed, Esq., which were distributed in the settlements.

The Board have corresponded with the Department of Agriculture, Washington, to which department monthly returns of the

Agricultural and Horticultural statistics of the Territory have been furnished, so far as the Board had the means of procuring information.

The State Fair, held in this city in October last, furnished evidence in some departments of marked improvement. There is, however, great indifference in the public mind, as to contributing to the Fair, and to a great extent, the articles exhibited, are furnished by a few of the more patriotic individuals.

The receipts during the year amount to \$1237.63½. The expenditures have been \$1064.83. Leaving a balance in the Treasury of \$172.80½, besides the Imphee and Madder seed, and oats and Siberian wheat before named; also some bills receivable, due the former Board of Directors.

The Board, during the past year, have commenced issuing *Life Memberships*, at ten dollars each.

If agricultural and manufacturing societies and exhibitions are accredited, auxiliaries and stimulants to Home Manufactures and national development in other States and nations, where exist commercial facilities so extensive and varied, how much more should the inhabitants of Utah foster and encourage these exhibitions, situated as we are, so remote and isolated from the manufacturing emporiums of the world.

Should the society continue to exist and carry out the objects of its creation, a suitable house in which to hold the annual exhibitions should be built, and connected therewith a depot for seeds, library and office. There should also be a system devised by which monthly returns of the varied products of Utah could be obtained, that the society might be placed in possession of the agricultural and kindred statistics of our Territory, and be thereby enabled to furnish the same.

If the Legislative Assembly, taking all things into consideration, deem the society not of sufficient importance and benefit to the people in the Territory, to continue its operations, the repeal of the charter is recommended.

W. WOODRUFF, President.

FINANCIAL EXHIBIT of Desert Agricultural and Manufacturing Society, for the year ending Dec. 1863.

	Dr.	Cr.
To balance as per report of 1862,	\$157 11	
“ amount received for annual subscriptions,	163 14½	
“ “ “ life memberships,	813 33½	
“ “ “ as donations,	2 66½	

"	Territorial appropriation,	\$484 30	
"	less due to, and credited former Board	54 49	
		<hr/>	429 81
"	amount due former Board of Directors (1861)	310 32	
Deduct	paper redeemed by present Board	44 50	
"	indebtedness still outstanding	242 83	
		<hr/>	287 33
			22 99
To	amount received from Quarantine Gardens	85 00	
"	" Experimental "	62 58	
By	amount to J. R. Winder, for fencing Quarantine farm and for team work		381 08
"	E. F. Sheets, ploughing and harrowing both lots		29 12
"	J. P. Risely, gardener		246 81
"	Brigham Young, lumber for fair	140 00	
"	less lumber available	93 75	
		<hr/>	47 25
"	F. A. Mitchell, nails, tacks and team work,		37 35
"	F. A. Mitchell, for nails used at Fair,		6 15
"	Kimball and Lawrence, for pink calico \$4 and Godbe for candles \$5, and for painting, twine, bags and pins \$5 45		14 45
"	Mark Lindsay and others for attendance at fair		32 50
"	carpenters for fitting up Social Hall for fair		14 00
"	Globe saloon dinners for music		20 75
"	R. L. Campbell, clerking as Secretary, keeping books as Treasurer, selling seeds and giving out premiums		94 50
"	Thos. Bullock, clerk at fair, making out premiums and weighing seeds		20 75

"	wood for Historians' office and for flag staff broken during fair	8 00
"	Premiums	85 20
"	paid for hauling wheat	4 49
"	expended on Experimental and Quarantine gardens not in- cluded in above accounts	22 43
	Balance.	172 80½
		<hr/>
		1237 63½ 1237 63½

ROB. L. CAMPBELL, Treasurer.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred that portion of the Governor's Message relating to the State road at the point of the mountain, south, and at the crossings of the Provo and Sevier rivers recommended the adoption of a resolution appropriating the sum of fifteen hundred dollars to aid in the reconstruction of a bridge across the Provo river.

On motion of Councilor Carrington [H. F. No. 2.] "A preamble and act legalizing certain acts of the Auditor and Treasurer," was taken up on its second reading as amended, and,

On motion of Councilor Smith, passed its second reading as amended.

On motion of Councilor Carrington, the bill passed by its title as amended, and the House notified accordingly.

The following communication was received from the House:

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 5, 1864. }

THE HONORABLE THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN: The House of Representatives has passed the enclosed "Memorial to Congress for a daily mail from G. S. L. City to Los Angeles, California," which is now sent for your concurrence.

They have also concurred in your substitute "a resolution for obtaining a standard set of weights and measures," which is herewith enclosed.

They have also passed [H. F. No. 7.] "An act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862." and "An act to repeal an act entitled an act appointing a superintendent of the Provo kanyon road and specify-

ing the rates of toll to be collected thereon," which are enclosed for the action of your Honorable body.

Very respectfully, etc.,

JOHN TAYLOR, Speaker.

"House memorial to Congress for a daily mail from G. S. L. City to Los Angeles, in California," was read, and,

On motion of Councilor E. Snow, was concurred in.

[H. F. No. 7.] "An act supplementary to an act to incorporate the city of St. George, in Washington county, approved January 17, 1862," was read, and,

On motion of Councilor Smith, was referred to the committee on incorporations.

[H. F. No. 12.] "An act to repeal an act entitled an act appointing a superintendent of the Prove canyon road and specifying the rates of toll to be collected thereon," was read the first time, and,

On motion of Councilor Hyde, was read the second time, and,

On motion of Councilor Rich, passed its third reading by title, and the House notified accordingly.

The minutes were called for, read, and accepted.

On motion of Councilor Smith, the Council adjourned till 1 p. m. to-morrow.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 5th, 1864, 1 p. m.

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion, Hon. A. P. Rockwood was called to the chair.

A message was received from the Council announcing their concurrence in House "Resolution, authorizing the Treasurer to expunge from his books a certain amount due on bills receivable." Also announcing their non-concurrence in [H. F. No. 13.] and substituting therefor [C. F. No. 5.] "A resolution for obtaining a standard set of weights and measures," which they had adopted and sent for concurrence.

Said resolution [C. F. No. 5.] was read, and,

On motion, House concurred in the adoption thereof.

Mr. Eldredge, chairman of committee on incorporations, to whom was referred the bill entitled "An act for the formation of corporations," reported the same back with amendments, and recommended the passage of the same.

The amendments to said bill were read and adopted.

On motion of Mr. Thurber, 50 copies of said bill were ordered to be printed, in open lines, for the use of both Houses of the Legislative Assembly.

The Speaker arrived and took the chair.

Mr. Long moved, that a note be addressed to the Warden of the Penitentiary, requesting him to report at an early day, the number of convicts committed to the Penitentiary, from the 1st day of January, 1855, to the first day of January, 1864; also the number who have been pardoned within the said period; number released on writs of habeas corpus, and writs of error; number who have served out their time; number who have made good their escape, and the number on hand. Likewise the amount of available labor each year, as shown by the records of the Penitentiary, and the present condition of the Penitentiary.

Seconded and carried.

Mr. Patten presented, a bill entitled "An act in relation to fires on the public domain," which was read, and referred to the committee on public domain and school lands.

Mr. Thurber presented, claim of Jason Sherman, Deputy Sheriff of Green river county, which was read, and referred to the committee on claims and appropriations.

Mr. Hunt presented, petition of Joseph Grover and 85 others, for an appropriation for a road from Huntsville to Bear river lake, which was read, and referred to the committee on roads, bridges, &c.

Mr. Rockwood presented, petition of Lewis Robison and Joshua Terry, for a charter for a ferry across Green river, which was read, and referred to the committee on roads, bridges, &c.

Mr. Cluff presented, Memorial to Congress, for a daily mail from Great Salt Lake City to Los Angeles, in California, which was read, and

On motion of Mr. Wandell, adopted.

[H. F. No. 19.] a bill entitled "An act to provide for the organization of Telegraph Companies," was taken up, read, amended, and so passed its second reading.

[H. F. No. 5.] a bill entitled "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," was taken up and passed its second reading.

[H. F. No. 6.] a bill entitled "An act changing the time of holding the Supreme Court and District Courts, in the 1st and 2d Judicial Districts," was taken up, read, and referred back to the committee on judiciary.

[H. F. No. 12.] a bill entitled, "An act to repeal an act entitled an act appointing a superintendent of the Provo kanyon road, and specifying the rates of toll to be collected thereon," was taken up and passed its second reading.

Said bill passed its third reading by its title.

[H. F. No. 7.] a bill entitled "An act supplementary to an act to incorporate the City of St. George, in Washington county, approved January 17, 1862," was taken up and passed its third reading.

The title of said bill was read and approved.

[H. F. No. 18.] a bill entitled "An act, granting unto Joseph Young, sen., the right to establish and control ferries on Bear river," was taken up on its second reading. Pending discussion on the 4th section, the further consideration of the bill was laid over till to-morrow.

The following message was received and read:

COUNCIL CHAMBER, G. S. L. City,
January 5, 1864. }

HON. THE SPEAKER AND MEMBERS OF THE
HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council has passed [H. F. No. 2.] "A preamble and an act, legalizing certain acts of the Auditor and Treasurer," with certain amendments; they have also concurred in your Memorial to Congress for daily mail, &c.; and in [H. F. No. 12.] "An act to repeal an act, appointing a superintendent of the Provo kanyon road, and specifying the rates of toll to be collected thereon."

Do you concur in the amendments to [H. F. No. 2.]

Very respectfully,

DANIEL H. WELLS,
President of the Council.

[H. F. No. 2.] was taken up and read as amended by the Council, and,

On motion of Mr. Rockwood, the House non-concurred in the amendments to said bill, and asked for a committee of conference on said bill.

Whereupon the Speaker appointed Messrs. Richards, Long and Stoker said committee of conference.

The minutes were read and approved.

On motion of Mr. Van Cott, the House adjourned till 1 p. m. to-morrow.

Benediction by the Chaplain.

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WEDNESDAY, JANUARY 6, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Jan. 6, 1864, 1 p. m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

"GENTLEMEN:—The House of Representatives do not concur in your amendments to [H. F. No. 2,] "A preamble and an act legalizing certain acts of the Auditor and Treasurer," and have appointed Messrs. Richards, Long and Stoker, a committee of conference, to meet with a like committee of the Council, upon said amendments.

Very Respectfully,

JOHN TAYLOR, Speaker."

Councilor E. Snow moved, that a committee of conference be appointed to meet with the committee referred to. The President appointed Councilors E. Snow, A. Carrington and L. E. Harrington said committee.

Councilor Rich presented, petition of R. R. Hopkins and William Sterrit, praying for the right to establish a toll bridge on Bear river, on the road from Fort Bridger to Soda Springs, which was read, and,

On motion of Councilor Benson, was referred to the committee on roads, bridges, ferries and canyons.

Councilor Hyde presented, petition of Wm. A. Hickman, praying for the charter of a toll road on the Western desert, in Tooele county, which was read, and,

On motion of Councilor Hyde, was referred to the committee on roads, bridges, ferries and canyons.

Councilor Rich, chairman of the committee on counties to whom

was referred [C. F. No. 3,] "An act to provide for the organization of Richland county, and to change the boundaries of Sanpete and Utah counties," reported the same back by substituting [C. F. No. 6,] "An act to provide for the organization of Richland and Rio Virgin counties," and to change the boundaries of Sanpete and Utah counties, which was read.

The following was received from the House:

GENTLEMEN:—The enclosed bills [H. F. No. 5,] "An act authorizing the issuing of executions against judgment debtors, non-residents of the county." (H. F. No. 6,) "An act changing the time of holding the Supreme Court and District Courts, in the 1st and 2d Judicial Districts," and (H. F. No. 19,) "An act to provide for the organization of telegraph companies," have passed the House, and are now sent to your Honorable body for concurrence.

Very Respectfully, etc.,

JOHN TAYLOR, Speaker.

(H. F. No. 6,) "An act changing the time of holding the Supreme Court and District Courts, in the 1st and 2d Judicial Districts, was read, and,

On motion of Councilor Smith, was referred to the committee on judiciary.

(H. F. No. 5,) "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," was read, and,

On motion of Councilor E. Snow, was referred to the committee on judiciary.

(H. F. No. 19,) "An act to provide for the organization of telegraph companies," was read, and,

On motion of Councilor Smith, was referred to the committee on incorporations.

Minutes being called for, were read and accepted.

On motion of Councilor Benson, the Council adjourned till tomorrow, at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 6, 1864, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pitchforth presented, petition of C. H. Bryan and 135 others, for an appropriation for a county revenue, which was read, and referred to the committee on revenue.

Mr. Cluff presented, petition of the County court of Utah county, which was read, and referred to the committee on revenue.

Mr. Maughan, chairman of committee on elections, presented, list of officers to be elected by the joint vote of the Legislative Assembly, which was read, and the committee instructed to confer with the committee of the council on the subject, and present the same to the joint session.

Mr. Preston, chairman of committee on roads, to whom was referred the "Petition of the citizens of Minersville, reported, a bill, entitled 'An act for the location of a road from G. S. L. City, to St. George, via Deseret City,' which was read and laid on the table to come up in its order.

Mr. Callister, chairman of committee on counties, to whom was referred [H. F. No. 15.] "An act for the better regulation of stray pounds," reported the same back with amendments.

Said bill was read, and,

On motion of Mr. Richards, 50 copies thereof were ordered to be printed, in open lines, for the use of the Assembly.

Mr. Long presented, report of the Warden of the Penitentiary, in compliance with the vote of yesterday, which was read, and referred to the committee on penitentiary, and ordered to be printed in pamphlet form.

WARDEN'S REPORT.

WARDEN'S OFFICE, G. S. L. COUNTY,
January 6, 1864. }

MR. SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Pursuant to your request, I submit you a report as requested in your note of the 5th inst.

By examining the records of the Penitentiary, now in my office,

I am enabled to furnish the following statistics, showing the number of convicts committed each year, etc.

	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	Total
Number of convicts committed in	9	9	1		6	19	4	9	18	75
Number of convicts pardoned	1	7			4	3	1	3	7	26
Number of convicts discharged on writ of habeas corpus or writ of error.					1	9	1		1	12
Number served the term of sentence	1	2	1			4		5	4	17
Number made good their escape	3				1	3	2	1	2	12
Number of convicts now on hand										8
Total number of convicts committed in nine years										75

Several others have escaped from time to time, but have been taken and re-committed, either dead or alive.

During the administration of Mr. Carn, as Warden, the books show that in 1855-6-7-8-9, one hundred and ninety-three day's work was performed by convicts, but they do not show that it was available.

It is also shown that fifty dollars worth of labor was performed, which was available and accounted for.

During the administration of Mr. McRae in 1860, the available convict labor amounted to \$48,00.

During the administration of Mr. Little, as Warden, in 1861, the available labor of convicts as shown in the director's report of December 18th, 1861, amounts to \$175,00.

And their report of December 10th, 1862, shows that during the remainder of the term of Mr. Little, the available labor of convicts was \$407 50.

During the administration of Mr. Rockwood, as Warden, from January 31st, 1862, to December 1st following, the available labor of convicts, as accounted for in report of directors, December 10th, 1862, was \$1172 75.

During the second term of Mr. Rockwood, in 1863, the director's report of December 18th, shows that the labor, rent, etc., amount to \$1672 86.

The records in my office do not show the annual expense of the institution for the first five years, up to 1860, neither do they show the aggregate.

The expenses of 1860, are shown to be	-	-	\$5159 29
" 1861, "	-	-	4584 11
" 1862, "	-	-	1696 25
The income of 1863, "			\$2 51

Excepting Warden's services, which is not taken into consideration.

The Penitentiary is in a very dilapidated condition, therefore not a secure place for convicts. The sleeping cells are mostly under ground; badly ventilated, consequently unhealthy in the warm season of the year, and with propriety may be called a nuisance.

The continued neglect of the general government to pay the expense incurred in keeping U. S. convicts, and the limited appropriations of the Legislative Assembly for the past two years, have not justified the Directors in furnishing a constant night guard, consequently convicts have escaped that otherwise might have been secured. Notwithstanding, the ratio of escapes has been less the past two years, than when the night guard was supposed to be on constant duty. I think this may be more properly attributed to the circumstance, that the convicts have been kept constantly at labor during the day, rather than through any neglect of the guard.

The increase of convict labor for the last three years, is mostly in consequence of the law passed in 1860, authorizing the Warden to work the convicts outside of the prison wall, provided the Directors approved. The exercise of the provisions of this law, is in many cases safe and salutary, in others it may be questioned. Consequently much responsibility rests on the Directors and Warden, in the exercise of the provisions of this law. And I would respectfully suggest, that the consideration of the effect of this law, be referred to your committee on Penitentiary. I do also recommend, that said committee take into consideration the condition of the cells, and devise ways and means to provide more wholesome sleeping apartments.

During the past season there have been accomplices outside of the wall of the Penitentiary, who have attempted to aid and abet the convicts in escaping; such aid was probably effectual in the escape of the two U. S. convicts last April; but they have not been, as yet, successful in their more recent endeavors.

On the 29th of April last, an assault was committed by a soldier, Gridley Blank, from Camp Douglas, in which he discharged five shots from a navy size revolver, at the person of your Warden, none of them took effect, although most of them were well directed under the circumstances. I immediately arrested, bound and placed him in one of the cells of the Penitentiary, for the time being; the next

morning delivered him over to the civil authorities, and he was by Judge Elias Smith committed for assault, with intent to kill. Subsequently Col., now Gen. Connor, commanding the post at Camp Douglas, took possession of the prisoner, with a view, as reported, of trying him by a military commission. The witnesses in the premises have not yet been called for, and the person committing the assault, is reported being at large like other soldiers.

Other insults have been practiced on the officer of the institution, which I am disposed to pass by without further comment at present.

Respectfully Submitted,

A. P. ROCKWOOD,

Warden of Utah Penitentiary.

A message was received from the Council, announcing the appointment of Messrs. E. Snow, Carrington and Harrington, a committee of conference, to meet with the House committee on the amendments to [H. F. No. 2.]

Mr. Lunt moved, that the committee on agriculture, trade and manufactures, be instructed to take into consideration the propriety of making an appropriation to aid in the completion of the artesian well, now in course of construction at St. George, in Washington county.

Seconded and carried.

Mr. Wandell presented, "An act concerning mining and mining claims," which was read, and,

On motion of Mr. Rockwood, referred to a special committee.

The speaker appointed Messrs. Wandell, Pratt, Woolley and Rockwood said committee.

[H. F. No. 19.] "An act to provide for the organization of Telegraph companies," was taken up, and passed its third reading.

The title of said bill was read and approved.

[H. F. No. 5.] "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," was taken up and passed its third reading.

The title of said bill was read and approved.

Mr. Farr, chairman of committee on judiciary, to whom was referred [H. F. No. 6.] reported the same back with a substitute for Sec. 4.

Said bill [H. F. No. 6.] a bill entitled "An act changing the time of holding the Supreme Court and District Courts in the 1st and 2d judicial districts," was read as amended, and passed its third reading.

The title of said bill was read, and so passed.

Mr. Farr, chairman of committee on judiciary, to whom was referred [H. F. No. 18.] reported the same back with amendments.

Said bill (H. F. No. 18.) "An act granting unto Joseph Young, sen., the right to establish and control ferries on Bear river, also a bridge on the Malad," was taken up on its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

The minutes were read and approved.

On motion of Mr. Maughan, the House adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

THURSDAY, JANUARY 7, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Thursday, January 7, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Smith, (C. F. No. 6,) "An act to provide for the organization of Richland county, and to change the boundaries of Sanpete and Utah counties," was read the first time, and,

On motion of Councilor Harrington, was read the second time.

On motion of Councilor Harrington, the first section was referred to Councilors Rich and Benson, as a special committee, to adjust the boundaries therein named.

Councilor L. Snow, chairman of the committee on incorporations, to whom was referred (H. F. No. 7,) "An act supplementary to an act to incorporate the city of St. George, in Washington, county, approved January 17, 1862," reported the same back, amended by an additional section, which was read, and,

On motion of Councilor Carrington, passed as amended.

The following communication was received and read:

MR. PRESIDENT AND GENTLEMEN OF THE COUNCIL:

You are respectfully invited to attend a lecture at the Seventies'

Council Hall, to be delivered this evening, at half past six o'clock, by Prof. Pratt; subject, Electro Magnetism.

J. V. LONG,

On behalf of Committee on Lectures.

The following was received from the House:

GENTLEMEN:—The enclosed bill, (H. F. No. 18,) "An act granting unto Joseph Young, Sen., the right to establish and control ferries on Bear river, and a bridge across the Malad," has passed the House, and is now sent to your Honorable body for concurrence.

The House have also concurred in the amendment of the committee of conference, on (H. F. No. 2,) which bill is also enclosed for your concurrence.

Very Respectfully,

JOHN TAYLOR, Speaker.

(H. F. No. 13,) "An act granting to Joseph Young, Sen., the right to establish and control ferries on Bear river, also a bridge on the Malad," was read, and,

On motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and canyons.

(H. F. No. 2,) "An act legalizing certain acts of the Auditor and Treasurer, and making certain appropriations, was read as amended, and,

On motion of Councilor Carrington, the Council concurred in the amendment.

Councilor Benson, on behalf of the special committee, to whom was referred Sec. 1, of (C. F. No. 6,) "An act to provide for the organization of Richland county, and to change the boundaries of Sanpete and Utah counties," reported the same back amended, which was read and,

On motion of Councilor Carrington, passed as amended.

Sec. 3, was amended by inserting the word "Kane," instead of the words "Rio Virgen," before the word county.

On motion of Councilor Harrington, Sec. 6. was stricken out, and,

On motion of Councilor Rich, was read the third time by its title, and,

On motion of Councilor Carrington, the title was amended, and so the bill passed, and was sent to the House for concurrence.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and canyons, presented the following report:

TO THE HON. PRESIDENT

AND MEMBERS OF LEGISLATIVE COUNCIL:

Your committee on roads, bridges, ferries and canyons, to whom

was referred the petition of Archibald Gardner and 64 others, praying for an appropriation to assist them in defraying the expense of reconstructing a bridge over Jordan river, near Gardner's mills, beg leave to recommend that (\$200) two hundred dollars be appropriated, and expended under the supervision of the Territorial road Commissioner, to aid the petitioners in the reconstruction of the aforesaid bridge.

AMASA M. LYMAN, Chairman.

On motion of Councilor Smith, the report was accepted, and the committee discharged from the further consideration of the subject, and the report referred to the committee on appropriations, with instructions to include the same in the general appropriation bill.

Councilor Rich, chairman of the committee on counties, to whom was referred the petition of citizens of Ogden valley for the organization of a new county, reported unfavorably thereto, and,

On motion of Councilor Harrington, the report was accepted, and the committee discharged from the further consideration thereof.

Councilor Carrington, chairman of the committee on judiciary, to whom was referred [H. F. No. 6.] "An act changing the time of holding the Supreme court and District courts in the First and Second Judicial districts," reported the same back amended and recommended its passage.

On motion of Councilor Smith, the report was accepted and the bill passed as amended, and was sent to the House for their concurrence in the amendment.

The following communication was received:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 6th, 1864. }

THE HON. DANIEL H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have this day approved and signed the joint resolution, "For obtaining a standard set of weights and measures," and have deposited the same in the office of the Secretary of the Territory.

I shall take immediate steps to carry out the object of the resolution.

I have the honor to be Your Obedient Servant,

AMOS REED,

Acting Governor.

The minutes were read and accepted.

On motion of Councilor Benson, the Council adjourned till tomorrow at 10 a.m.,

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 7, 1864, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Johnson presented, "Petition of B. K. Bullock, and 214 others, citizens of Utah county, asking an appropriation for the construction of a bridge across Provo river," which was read, and referred to the committee on roads, bridges, etc.

Mr. Cluff presented, "Petition of Wm. Miller, and 61 others, to open East Temple Street, in Provo, to near the mouth of Provo canyon," which was read, and referred to the committee on roads, bridges, etc.

Mr. Richards, chairman of committee of conference, appointed to confer with a like committee from the Council upon proposed amendments to "An act, legalizing certain acts of the Auditor and Treasurer, and making certain appropriations," respectfully reported that the conference committees unanimously agreed to recommend that in the first section after the words "annual session, 1862-3," there be added the words "which are set forth in section 2 of this act," and that the bill pass so amended.

Said bill was read with the proposed amendments, and,

On motion of Mr. Allred, the proposed amendments were adopted, and the bill ordered to be sent to the Council for concurrence.

Mr. Rockwood, chairman of committee on agriculture, etc., to whom was referred, a portion of the Governor's Message having communicated with the President of the Deseret Agricultural and Manufacturing Society, who in reply had submitted a report which had been spread on the minutes of the Council on the 5th inst., which is now before the House; also a sample of sugar, which was produced from Imphee cane.

Mr. Richards moved, that the chairman of the committee on agriculture, etc., be requested to inform the House by what process the sample of sugar before us was obtained. Seconded and carried.

The report of the Deseret Agricultural and Manufacturing Society was read.

Mr. Van Cott, chairman of committee on public domain, etc., to whom was referred, [H. F. No. 20.] "An act in relation to fires

on the public domain," reported the same back as not adapted to the wants of the people of Utah, and substituted the accompanying bill.

Said accompanying bill entitled, "An act in relation to fires on the public domain," was read, and the report of the committee was adopted, and the accompanying bill laid on the table to come up in its order.

[H. F. No. 21.] a bill entitled, "An act for the location of a road from Great Salt Lake City, to the City of St. George, via Deseret City," was taken up on its first reading.

[H. F. No. 20.] a bill entitled, "An act in relation to fires on the public domain," was taken up on its first reading.

The minutes were read and approved.

On motion of Mr. Thurber, the House adjourned till to-morrow, at 1 p. m.

Benediction by the Chaplain.

FRIDAY, JANUARY 8, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Friday, January 8, 1864, 10 a.m. }

Council met pursuant to adjournment:

Roll called. Quorum present:

Prayer by the Chaplain.

Councilor Smith, chairman of the committee on memorials, to whom was referred House memorial to Congress for "An act authorizing the removal of the Indians in Utah Territory to the Uinta reservation," reported the same back amended, with a recommendation for its adoption as amended.

On motion of Councilor Johnson, the memorial was adopted and sent to the House for their concurrence in the amendments.

Councilor Carrington, on behalf of the committee on incorporations, to whom was referred [H. F. No. 19.] "An act for the organization of telegraph companies," reported the same back amended, and recommended its passage as amended:

The bill was taken up on its first reading as amended, and,

On motion of Councilor Harrington, passed its second reading, and,

On motion of Councilor Hyde, was read the third time by its title,

and so the bill passed and was sent to the House for their concurrence in the amendment.

The minutes were read and accepted.

On motion of Councilor Benson, the Council adjourned till Monday 11th, 1 p. m.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 8, 1864, 1 p.m. }

The House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the Council and read:

The Council has amended [H. F. No. 6.] by striking out the first section except the enacting clause, by inserting "Saupete county" after "Manti," and "Washington county" after "St. George" and by striking out the first three lines of section 4. Do you concur in the amendments?

The Council has also passed (C. F. No. 6.) "An act to provide for the organization of Richland and Kane counties," which is now sent to your Honorable body for concurrence.

The Council has adopted your memorial to Congress for the removal of Indians, etc., with amendments and requests your concurrence therein, also the Council concur in (H. F. No. 19.) "An act to provide for the organization of telegraph companies," with an amendment in the 8th section.

Very respectfully,

DANIEL H. WELLS,
President of the Council.

[H. F. No. 6.] "An act changing the time of holding the District courts in First and Second Judicial districts," was taken up and read as amended by the Council, and,

On motions, the amendments were concurred in.

Said bill was read by its title as amended and so passed.

[C. F. No. 6.] "An act to provide for the organization of Richland and Kane counties," was taken up and passed its first reading.

"Memorial to Congress for an act authorizing the removal of the Indians in Utah Territory to the Uinta reservation," was read as amended by the Council and said amendments concurred in.

(H. F. No. 19.) "An act to provide for the organization of telegraph companies," was taken up and read as amended by the Council and said amendment concurred in.

The following message from the Council was received and read:

The Council have concurred in (H. F. No. 7,) "An act supplementary to an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862" by adding an additional section.

Do you concur in the amendment?

The Council has concurred in the amendments to (H. F. No. 2.) and respectfully return the same to be engrossed.

Very respectfully,

DANIEL H. WELLS,

President of the Council.

(H. F. No. 7.) "An act supplementary to and amendatory of an act to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," was taken up and read as amended, and,

On motion the House, non-concurred in the amendment thereto.

The following was received and read:

"EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 7th, 1864. }

THE HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have this day approved and signed the act entitled "An act to repeal an act entitled an act appointing a superintendent of the Provo kanyon road. and specifying the rates of toll to be collected thereon," also

The joint resolution entitled, "Resolution authorizing the Treasurer to expunge from his books the amount due on bills receivable," also

The memorial entitled, "Memorial to Congress for a daily mail from Great Salt Lake city to Los Angeles in California," and have deposited the same in the office of the Secretary of the Territory.

I shall forward a copy of the memorial to Congress immediately.

AMOS REED,

Acting Governor.

Mr. Cluff presented, memorial to Congress, for a daily mail from G. S. L. City to Bannack City, which was read, and referred to the committee on petitions and memorials.

Mr. Lunt moved, that the committee on agriculture, trade and manufactures, take into consideration the condition of the Territory, as effected by the production of cotton and indigo, and whether any Legislation for the encouragement of these products is necessary, and report at an early day by bill or otherwise. Seconded and carried.

Mr. Preston, chairman of committee on roads, etc., to whom was referred the petitions of B. K. Bullock and others, and Wm. Miller and others, have taken the matters under consideration, and recommend the passage of accompanying bill. And the Territorial Road Commissioner, be instructed to use his discretion and judgment, as to locating the road to and from the bridge under contemplation, to be built across Provo river.

Said accompanying bill, "An act in relation to building a bridge across Provo river," was read and laid on the table to come up in its order.

Mr. Preston, chairman of committee, to whom was referred the petition of Lewis Robison and Joshua Terry, after carefully examining the same, and after taking into consideration, "An act to amend an act, amending an act granting to Lewis Robison and Joshua Terry the right of building a toll bridge across Green river," reported accompanying bill as a substitute, and recommended the passage thereof.

On motion, the report of the committee was accepted, and said accompanying bill, "An act granting unto Lewis Robison and Joshua Terry the right to establish and control a ferry or ferries on Green river," was read, received and laid on the table to come up in its order.

Mr. Johnson, committee on printing, to whom was referred a resolution authorizing the publication and distribution of the Acts, Resolutions and Journals of the Twelfth Annual Session, of the Legislative Assembly of the Territory of Utah, respectfully reported the following resolution, authorizing the publication and distribution of the acts and resolutions of the Twelfth Annual Session.

Said resolution was read, and laid on the table to come up in its order.

Mr. Rockwood, chairman of committee on agriculture and manufactures, in answer to resolution on yesterday, asking information as to the mode of producing the sample of sugar yesterday exhibited to the members of this House, respectfully reported, that Hon.

W. Woodruff, President of the Desert Agricultural and Manufacturing Society, informs them that the said sample of sugar, was produced from the juice of the Imphee, reduced to syrup in a Cook's Evaporator, in the usual manner. Said syrup, not being very dense or thick, was placed in a barrel, after standing some weeks the top portion was raked off, and the specimen exhibited was the result.

Mr. Wandell, chairman of special committee, to whom was referred the bill (H. F. No. 22,) entitled, "An act concerning mining and mining claims," reported back said bill with amendments, and as amended, recommended its passage.

Said bill was read as amended, and,

On motion of Mr. Farr, the committee on printing, had leave to retire and wait upon the Public Printer, and learn what the prospects were for printing the same.

Mr. Eldredge, chairman of committee on incorporations, to whom was referred petition of Chester Loveland, Leonard Rice, & Thomas H. McGraw, reported, a bill' entitled, "An act granting to Chester Loveland, Leonard Rice and Thomas H. McGraw, the privilege of establishing a line of steam boats on Jordan, Salt Lake and Bear river," was read, and laid on the table to come up in its order.

Mr. Smith presented the following, which was read: .

LIBRARY ROOM, G. S. L. City, }
January 8th, 1864. }

**TO THE HONORABLE COMMITTEE OF THE
HOUSE OF REPRESENTATIVES ON PUBLIC LIBRARY:**

GENTLEMEN:—I submit to your inspection, the list of books in Library, viz:—

In Library, books according to catalogue	2650
Books out on loan, from 1859, to 1863	127
Books (carried) as per report from (January 9, 1863)	1133
Books received per mail, at sundry times during 1863.	
On war, finance, statistics, documents, etc., for 1861-62, and 1863	117
Books turned over to the library by Governor Doty	589
Books in Acting-Governor Reed's office, on all subjects of Governmental affairs, turned over by him for the use of the Library	500

Total number of books 5458

There are in the Library, over, 400 tracts, and loose

sheets of catalogues, files of newspapers not in the above list.

Maps	-	-	-	-	-	-	-	-	13
Globes	-	-	-	-	-	-	-	-	2
Busts	-	-	-	-	-	-	-	-	2

GENTLEMEN:—Last year, upwards of 100 volumes were left out for binding. Twenty volumes of which are bound and in the hands of the binder. And 100 in the library awaiting your appropriation, for the present fiscal year 1864.

Owing also to the large increase of books, added to the library numbering over 1000 volumes. The Librarian would humbly suggest to the Hon. Committee of the House of Representatives, that the use of another room will be required to contain them; which if granted, Acting Governor Reed proposes shelving with cases, where they can be properly arranged for use when required.

Yours Respectfully, to Command,

JOHN LYON, Librarian.

Mr. Long moved, that the committee on library be instructed to take into consideration the expediency of providing a separate room for the law books and public documents now belonging to the library. Seconded and carried.

Mr. Johnson, chairman of committee on printing, reported, that he had waited upon the Public Printer, and had learned from him that the bills ordered will all be ready for the House by Monday next, and that thereafter he hopes to be more punctual in filling the orders of the House.

On motion of Mr. Johnson, 100 copies of (H. F. No. 22.) "An act concerning Mining Claims," were ordered to be printed for the use of the Assembly.

On motion of Mr. Johnson, said bill was made the special order of the day for Wednesday, the 13th instant, at 1½ p. m.

Mr. Allred presented, "An act amending an act, defining the boundaries of counties, and for other purposes," which was read, and referred to the committee on counties.

Business in order being called for, "An act for the location of a road from Great Salt Lake City, to the City of St. George, via Deseret City," was taken up, amended, and so passed its second reading.

Said bill passed its third reading by its title.

The minutes were read and approved.

On motion of Mr. Maughan, the House adjourned till Monday, at 1 p. m.

Benediction by the Chaplain.

MONDAY, JANUARY 11, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Monday, January 11, 1864, 1 p.m. }

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

REPRESENTATIVES' HALL, G. S. L. CITY,
January 8, 1864. }

THE HONORABLE THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House has concurred in your amendments to [H. F. No. 6.] "An act changing the time of holding District Courts, in the 1st and 2d Judicial Districts," [H. F. No. 19.] "An act to provide for the organization of Telegraph Companies," and "Memorial to Congress for an act authorizing the removal of the Indians in Utah Territory, to the Uinta reservation."

But they do not concur in your amendments to [H. F. No. 7.] "An act supplementary to and amendatory of an act to incorporate the City of St. George, in Washington county, approved Jan. 17, 1862." They have also passed [H. F. No. 21.] "An act for the location of a road from Great Salt Lake City, to the City of St. George, via Deseret City," which is herewith enclosed for the action of your Honorable body.

Very Respectfully etc.,

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Chief Clerk.

(H. F. No. 21.) was read, and on motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and canyons.

Councilor Carrington, on behalf of the committee on incorporations, to whom was referred (C. F. No. 7.) "An act to encourage the construction of telegraph lines in the Territory of Utah," reported the same back, amended, and recommended its being placed upon its passage.

The bill was read as amended, and,

On motion of Councilor Harrington, was read the second time.

On motion of Councilor Benson, the bill was referred to the committee on judiciary.

Councilor Carrington, chairman of the committee on judiciary, to whom was referred (H. F. No. 5.) "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," reported the same back, and recommending concurrence.

The bill was read the second time, and,

On motion of Councilor Rich, was read the third time by its title, and so became a law.

The minutes were called for, read, and accepted.

On motion of Councilor L. Snow, the Council adjourned till tomorrow, at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 11, 1864, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pitchforth presented, petition of Juab county, for an appropriation to complete the road through lower Salt Creek kanyon, which was read, and referred to the committee on roads, etc.

Mr. Thurber, chairman of committee on revenue, to whom was referred (H. F. No. 9,) a bill entitled, "An act in relation to Territorial, County and City Taxes," and (H. F. No. 4,) "An act prescribing the time for completing an assessment," returned said bills, and reported an accompanying substitute.

On motion of Mr. Pratt, said two bills (H. F. No. 9 & 4) were rejected, and said accompanying bill laid on the table for the consideration of the House.

Mr. Woolley presented, petition of Z. Snow and 83 others, for an act on joint enclosures, which was read, and referred to the committee on agriculture, trade and manufactures.

Mr. Cluff presented, a bill entitled, "An act to incorporate Provo city," which was read, and referred to the committee on incorporations.

(H. F. No. 20,) a bill entitled, "An act in relation to fires on the

public domain," was taken up and amended, by striking out the second section, and passed its second reading.

Said bill was read the third time.

The title of said bill was read and approved.

[C. F. No. 6,] a bill entitled, "An act to provide for the organization of Richland and Kane Counties," was taken up, amended, and pending discussion relative to the boundary line between Kane and Washington counties, was referred to the committee on counties.

[H. F. No. 23,] "An act in relation to building a bridge across Provo river," was taken up and passed its first reading.

[H. F. No. 17,] "An act to amend an act, granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries on Green river," was taken up, and passed its first reading.

[H. F. No. 24,] "Resolution authorizing the publication and distributing of the Acts and Resolutions of the Twelfth Annual Session," was taken up, and passed its first reading.

[H. F. No. 25,] "An act granting to Chester Loveland, Leonard Rice and Thos. H. McGraw, the privilege of establishing a steam boat on Jordan, Salt Lake and Bear river," was taken up, and passed its first reading.

[H. F. No. 16,] "An act for the formation of corporations," was taken up, and passed its first reading.

A message was received from the Council, announcing their concurrence in [H. F. No. 5,] "An act authorizing the issuing of executions against judgment debtors, non-residents of the county."

The minutes were read and approved.

On motion of Mr. Pratt, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 12, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Tuesday, Jan. 12, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Rich presented, petition from Charles L. Peterson, and 175 others, praying the appropriation of \$5000, to make a road in Weber kanyon; which was read, and,

On motion of Councilor Harrington, was referred to the committee on appropriations.

Councilor Rich asked leave to withdraw the petition of citizens of Weber county, for a new county in Ogden Valley.

On motion of Councilor Benson, leave was granted.

The following communication was received from the House:

REPRESENTATIVES' HALL, G. S. L. City,
Jan. 11, 1864. }

The enclosed bill, (H. F. No. 20.) "An act in relation to fires on the public domain," has passed the House, and is now respectfully sent to your Honorable body for concurrence.

Very Respectfully,

JOHN TAYLOR, Speaker.

THOMAS BULLOCK, Clerk.

On motion of Councilor Hyde, the bill was read the first time, and,

On motion of Councilor Benson, was referred to the committee on judiciary:

(H. F. No. 7.) "An act supplementary to, and amendatory of an act to incorporate the city of St. George, in Washington county, approved January 17, 1862," was taken up, and,

On motion of Councilor Smith, the second section thereto which was added by the Council, and to which the House refused concurrence, was stricken out, and the bill was concurred in as originally framed in the House, and the House was notified accordingly.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred, petition of Wm. A. Hickman, for a toll road in Tooele county, reported unfavorable to the same.

On motion of Councilor Spencer, the report was accepted, and the committee discharged from the further consideration of the subject.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred, petition of R. R. Hopkins, and Wm. Sterrett, reported the same back with the accompanying act (C. F. No. 8.) "An act authorizing a toll bridge across the Thomas' Fork of Bear river.

On motion of Councilor E. Snow, the report of the committee was accepted, and the bill was taken up for consideration.

On motion of Councilor Rich, the bill was read the second time, and,

On motion of Councilor Harrington, was amended. and,

On motion of Councilor Smith, was referred to the committee on education.

Councilor E. Snow moved, that the committee on agriculture, trade and manufactures be instructed to enquire into the expediency of suppressing the circulation of paper as currency, other than that issued under the authority of the General Government, and report by bill or otherwise, at their earliest convenience.

Councilor Carrington, chairman of the committee on judiciary, to whom was referred (C. F. No. 7.) "An act to encourage the construction of telegraph lines in the Territory of Utah," reported the same back by substitute, and recommended the same to be placed on its passage. The bill was read the first time, and,

On motion of Councilor Smith, the word "three" was inserted before years, in the second section.

Councilor Smith moved, that the word exclusive be stricken from the first section, pending the consideration of which motion, Councilor Harrington moved, that the bill be laid on the table, to be made the special business of to-morrow.

The minutes were called for, read, and accepted.

On motion of Councilor E. Snow, the Council adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 12, 1864, 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Allred presented, petition of H. M. Garrick and 138 others, inhabitants of Sevier valley, praying for a county organization, which was read, and referred to the committee on counties.

Mr. Hunt presented, petition of S. B. Tanner and 87 others, praying for a county organization, to be extended to the inhabitants

of Ogden valley, which was read, and referred to the committee on counties.

Mr. Callister, chairman of committee on counties, to whom was referred [H. F. No. 26,] "An act amending an act, defining the boundaries of counties, and for other purposes," reported the same back, and adversely to its passage.

Said bill was read, and,

On motion of Mr. Pratt, the enacting clause of said bill was stricken out.

Mr. Callister, chairman of committee on counties, to whom was referred (C. F. No. 6,) or that portion of it referring to the division of Washington county, reported the same back amended, and recommended its passage.

Said bill, (C. F. No. 6.) "An act to provide for the organization of Richland and Kane counties," was taken up, amended, and so passed its second reading.

Said bill passed its third reading by its title.

The title was read and approved.

The following was received and read:

"G. S. L. City, Jan. 12, 1864.

MR. SPEAKER AND GENTLEMEN OF THE HOUSE:

Your committee on roads, etc, to whom was referred the report of the Territorial Road Commissioner, have examined it carefully, and respectfully recommend, that the committee on claims and appropriations, be instructed to incorporate in the Territorial appropriation bill the following sums, to be expended under the supervision of the Territorial Road Commissioner:

For the building of a new bridge across Ogden river, \$750.00.

The sum of \$3839.31, expended in 1863 on the G. S. L. City and Weber road, running through Silver Creek kanyon, and that the sum of \$1500.00, in addition to the above amount for repairs of said road, during the ensuing year.

Also the sum of \$100.00, in addition to the sum appropriated last year, for the repairing of East Weber bridge.

WM. B. PRESTON, Chairman."

Said report was read, and,

On motion of Mr. Farr, the committee on claims, was instructed to incorporate said amounts in the Territorial appropriation bill.

A message was received from the Council, announcing that they had again considered [H. F. No. 7,] "An act supplementary to and amendatory of an act, to incorporate the city of St. George, in Washington county, approved Jan. 17, 1862," and had concurred in

the original bill, striking out the second section, and respectfully returned the same, to be engrossed by the House.

Mr Rockwood, chairman of committee on agriculture, to whom was referred the proposition to aid in the construction of an artesian well at St. George, in Washington county, reported, that in their opinion, Legislative action upon that subject was unnecessary.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 11, 1864. }

THE HONORABLE JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR: I have this day approved and signed the act entitled, "An act changing the times of holding District courts in the First and Second Judicial districts;" also

An act, entitled "An act legalizing certain acts of the Auditor and Treasurer, and making certain appropriations," and also, the memorial entitled,

"Memorial for the vacation of Indian reservations;" and have deposited the same in the office of the Secretary of the Territory.

I shall immediately forward the memorial to the President of the United States.

AMOS REED,
Acting Governor.

Mr. Pratt presented, report of the superintendent of common schools, which was read, and,

On motion, fifty copies thereof ordered to be printed in pamphlet form.

Mr. Eldredge, chairman of committee on incorporations, reported back [H. F. No. 27.] "An act to incorporate Provo city," and recommended the passage of the same.

Mr. Wandell, chairman of committee on petitions and memorials, to whom was referred the petition of Charles Edward Pearson, asking that his name be changed to Charles Edward Pearson Wood, reported the same back and recommended that the petition be not granted.

On motion of Mr. Richards, the report was accepted, and the committee discharged from further duties on the subject.

Mr. Wandell presented, a bill entitled, "An act concerning the issue of paper to be used as money," which was read and referred to the committee on judiciary.

Mr. Johnson presented, a bill for "An act for the encouragement

and advancement of agriculture, manufactures and for other purposes," which was read and referred to the committee on revenue.

Mr. Lunt presented, petition of A. Gardner, and 43 others, praying the Legislature to take into consideration the propriety of enacting a law to support common schools by taxation, which was read and referred to the committee on education.

(H. F. No. 15.) "An act for the better regulation of stray pounds and for other purposes," was taken up and read the first time.

(H. F. No. 9.) "An act in relation to Territorial, county, city and school taxes," was taken up and read the first time, and fifty copies thereof ordered to be printed for the use of the Assembly.

(H. F. No. 22.) "An act concerning mining claims," was taken up and read the first time.

(H. F. No. 17.) "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries on Green river, was taken up on its second reading, and referred back to the committee on roads, bridges, etc., with instructions.

(H. F. No. 23.) "An act in relation to building a bridge across Provo river," was taken up, amended, and so passed its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

(H. F. No. 24.) "Resolution authorizing the publication and distribution of the acts and resolutions of the twelfth annual session," was taken up on its second reading, and,

On motion of Mr. Long, the enacting clause thereof was stricken out.

(H. F. No. 25.) "An act granting to Chester Loveland, Leonard Rice and Thos. H. McGraw, the privilege of establishing a steam boat on Jordan, Salt Lake and Bear river," was taken up on its second reading, amended, and so passed its second reading.

Said bill passed its third reading.

The title of said bill was read, amended, and approved.

The minutes were called for, read and approved.

On motion, the House adjourned till to-morrow at 7 p.m.

Benediction by the Chaplain.

WEDNESDAY, JANUARY 13, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Wednesday, Jan. 13, 1864, 1 p. m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following message was received from the House:

REPRESENTATIVES' HALL,
January 12th, 1864, }

HONORABLE THE PRESIDENT

AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House of Representatives have amended sections 2 and 3 of [C. F. No. 6,] which is herewith returned. Do you concur in the amendments?

The House has also passed [H. F. No. 23.] "An act in relation to building a bridge across the Provo river," and [H. F. No. 25.] "An act granting to Chester Loveland, Leonard Rice and Thomas H. McGraw, the privilege of establishing a line of steam boats, on Jordan, Salt Lake and Bear river," which are herewith enclosed for the action of your Honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker."

THOMAS BULLOCK, Chief Clerk.

[C. F. No. 6.] "An act to provide for the organization of Richland and Kane counties, was read as amended, and,

On motion of Councilor E. Snow, the bill was laid on the table.

[H. F. No. 23.] "An act in relation to building a bridge across Provo river," was read the first time, and,

On motion of Councilor Hyde, was read the second time, and,

On motion of Councilor Smith, the Council concurred.

[H. F. No. 25.] "An act granting unto Chester Loveland, Leonard Rice and Thos. H. McGraw, the privilege of establishing a line of steam boats on Jordan, Salt Lake and Bear river," was read, and,

On motion of Councilor Benson, the bill was returned to the House, not concurred in.

Councilor Carrington presented, substitute for [C. F. No. 9.] "An act to encourage the construction of telegraph lines, in the Territory of Utah," which was read, and,

On motion of Councilor Smith, the Council deemed further Legislation on the subject unnecessary.

Councilor Hyde, on behalf of the committee on judiciary, to whom was referred [H. F. No. 20.] "An act in relation to fires on the public domain," reported the same back, amended by two additional sections, which was read, and,

On motion of Councilor Harrington, was read the third time by its title, and so passed, and was sent to the House for concurrence in the amendments.

Councilor Woodruff, chairman of the committee on agriculture, trade and manufactures, presented [C. F. No. 10.] "An act to prohibit the issuing and circulating of irresponsible paper," which was read, and,

On motion of Councilor Smith, was laid on the table to be the special business of to-morrow.

Councilor Carrington presented, [C. F. No. 11.] "An act assigning the Chief Justice and Associate Justice to their respective districts," which was read, and,

On motion of Councilor Harrington, the bill was laid on the table till to-morrow.

Councilor Carrington presented, [C. F. No. 12.] "An act in relation to the Supreme court," which was read, and,

On motion of Councilor Woodruff, passed its first reading, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Hyde, was read the third time by its title, and so passed, and was sent to the House for concurrence.

The minutes were called for and read.

On motion of Councilor Rich, the Council adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 13, 1864. 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

The Territorial road commissioners' bill for services, amounting to \$183 50, was read, and referred to the committee on claims and appropriations.

Business in order being called for,

[H. F. No. 22.] special order of the day, "An act concerning mining claims," was taken up on its second reading, and amended in several sections, and two new sections inserted.

On the first amendment striking out the words "citizens of the United States," in line 2 of section 1.

Mr. Wandell and 10 other members voted negatively.

Pending the further consideration of said bill, Mr. Wright moved, that a special committee of two, be appointed to request his Excellency Amos Reed, Acting-Governor, to forthwith ascertain by telegraph whether any, or what amount of means is placed to the credit of Utah, appropriated by the General Government for the purpose of repairing and defraying the expenses of the Utah Penitentiary, and that we respectfully request the Council to appoint a like committee to immediately confer with the Governor on this subject; and that the Territory be responsible for the expense of said telegraphic dispatch. Seconded and carried.

The speaker appointed Messrs. Wright and Maughan said committee.

The minutes were read and approved.

On motion of Mr. Wright, the House adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

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THURSDAY, JANUARY, 14, 1864.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 14, 1864, 4 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

(C. F. No. 10.) "An act to prohibit the issuing and circulating of irresponsible paper," was read the second time, and,

On motion of Councilor Smith, was laid on the table.

(C. F. No. 11.) "An act assigning the Chief Justice and Associate Justice to their respective districts," was read the second time, and,

On motion of Councilor Carrington, the bill was amended, and,

On motion of Councilor Smith, passed as amended, and was sent to the House for concurrence.

(C. F. No. 6.) "An act to provide for the organization of Richland and Kane counties," was read the second time, and,

On motion of Councilor Smith, the Council did not concur in the House amendments.

Councilor Benson, chairman of committee on elections, reported the number and kind of offices to be filled by the joint vote of this Legislative Assembly, viz:—

One Chancellor and twelve Regents of the Deseret University.

One Treasurer of the University.

One Territorial Treasurer.

One Auditor of Public Accounts.

One Territorial Road Commissioner.

One Territorial Marshal.

One Attorney General.

One District Attorney for the First Judicial District

" " " Second " "

One Territorial Surveyor General.

One Librarian.

One Recorder of Marks and Brands.

One Warden of the Penitentiary.

Three Directors of the Penitentiary.

One Sealer of Weights and Measures.

One Probate Judge and one Notary Public for Washington co.

" " " " Iron "

" " " " Beaver "

" " " " Millard "

" " " " Sanpete "

" " " " Juab "

" " " " Utah "

" " " two Notaries Public G. S. Lake "

" " " one Notary Public Davis "

" " " " Weber "

" " " " Box Elder "

" " " " Cache "

" " " " Green river "

" " " " Tooele "

One Probate Judge and one Notary Public for Summit county.

"	"	"	"	Wasatch	"
"	"	"	"	Morgan	"

On motion of Councilor Hyde, said report was laid on the table to come up in Joint Session when called for.

[C. F. No. 10.] "An act to prohibit the issuing and circulating of irresponsible paper," was taken up, and,

On motion of Councilor Hyde, the second section was amended, by striking out the words, "a reasonable period" and inserting "six months."

On motion of Councilor Benson, the bill was referred to the committee on judiciary.

Councilor Benson presented, petition from the Territorial Marshal and Attorney General, praying for sundry appropriations.

The following was received from the House:

GENTLEMEN:—The House of Representatives have appointed Messrs. Wright & Maughan a committee, to act with a like committee of the Council, to wait upon his Excellency Amos Reed, Acting-Governor, to ascertain what amount of means is placed to the credit of Utah, for the purpose of repairing the Utah Penitentiary. Will you please appoint a similar committee.

Very Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Spencer, a committee of one was appointed to act with the aforesaid committee of the House.

The President appointed Councilor Benson said committee.

Petition of Seth M. Blair, Attorney General, was taken up, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations.

Bill of appropriation for \$71 00 was read, also petition for \$200 00 for office rent of Territorial Marshal, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations, with instructions to enquire into the validity of the claims.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred the petition of Samuel W. Richards and J. D. M. Crockwell, reported (C. F. No. 1.) "An act to incorporate the Green river ferry and White river toll road company," which was read, and,

On motion of Councilor Carrington, the bill was rejected.

The minutes were called for, read, and accepted.

On motion of Councilor Benson, the Council adjourned till tomorrow, at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, January 14, 1864. 1 p.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Messages were received from the Council, and read, announcing their concurrence in [H. F. No. 23.] "An act in relation to building a bridge across Provo river," and [H. F. No. 20.] "An act in relation to fires on the public domain;" the latter with amendments, also announcing their non-concurrence in [H. F. No. 25] and their passage of [C. F. No. 12.] "An act in relation to the Supreme court."

The amendments to (H. F. No. 20.) "An act in relation to fires on the public domain," were read and concurred in.

(C. F. 12.) "An act in relation to the Supreme court," was read and laid on the table to come up in its order.

Mr. Cluff presented, "Petition of city Council in Provo for a city charter," which was read and laid on the table.

Mr. Allred presented, "Petition of H. M. Garrick and 151 others, for an appropriation to build a bridge across Sandpitch river," which was read and referred to the committee on roads, etc.

Mr. Pitchforth presented, "Petition of inhabitants of Pleasant Grove for additional legislation on joint enclosures of land," which was read and referred to committee on agriculture, trade and manufactures.

Mr. Smith presented, "Petition of Charles S. Peterson and 175 others, citizens of Morgan county, for an apportionment of legislative representation to include one representative for Morgan county," which was read and referred to the committee on elections.

Mr. Richards, chairman of committee, to whom was referred [H. F. No. 4.] "Memorial to Congress for a daily mail from G. S. L. city to Bannack city," reported that the memorial should be addressed to the Hon. Montgomery Blair, Postmaster General, instead

of to Congress, and with this amendment recommended the adoption thereof.

Said memorial was so amended and adopted.

Mr. Richards presented, "Memorial to the Hon. Montgomery Blair, Postmaster General, for increased mail facilities," which was read and adopted.

A message was received from the Council, announcing their passage of [C. F. No. 11.] "An act assigning the Chief Justice," and their non-currence in House amendments to [C. F. No. 6.] "An act to provide for the organization of Richland and Kane counties."

Mr. Pratt presented, "Petition of citizens of Washington county for appropriations to make roads," which was read and referred to the committee on roads, etc.

[C. F. No. 6.] "An act to provide for the organization of Richland and Kane counties," was read, and,

On motion of Mr. Pratt, the House receded from their amendments to said bill and concurred with the Council in the passage thereof.

Mr. Rookwood, chairman of committee on agriculture, etc., required to inquire into the expediency of rendering encouragement to the production of cotton and indigo, respectfully reported,

That through Hon. W. Woodruff, President of the Deseret Agricultural and Manufacturing Society they learned that the said society have the means and intend, the present year, to make an effort to promote the production of the indigo plant; that the success realized in the production of cotton in this Territory within the last two years, has been all that the most hopeful could anticipate, and that this branch of industry will amply sustain itself; and that in their opinion, legislation is unnecessary upon the above subjects.

On motion of Mr. Farr, the report was received and the committee discharged from further duties on the subject.

Mr. Farr, chairman of committee on judiciary, to whom was referred a bill for an act entitled, "An act concerning the issue of paper, to be used as money," reported the said bill back with amendments, and recommend the passage of the same.

Said bill, [H. F. No. 28.] "An act concerning the issue of paper, to be used as money," was taken up and read, and fifty copies thereof ordered to be printed.

Mr. Preston, chairman of committee on roads, etc., to whom was referred [H. F. No. 17.] with instructions to shorten the water frontage asked for in said bill, reported the same back with amendments, and recommended its passage.

Also the petition of C. H. Bryant, Andrew Love and 93 others;

for a road through lower Salt Creek canyon, had been considered, and recommended the passage of accompanying bill.

They had also considered the petition of Joseph Grover, Edward R. Walker and 86 others, for a road from Huntsville, in Weber county, to Bear River Lake valley, and recommended the passage of accompanying bill.

Said bill, (H. F. No. 17.) "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries on Green River," was read as amended.

And with said accompanying bills, "An act to establish a road from Huntsville, in Weber county, to Bear Lake valley," and, "An act appropriating money, to be expended on the lower Salt Creek canyon road," were laid on the table to come up in their order.

Mr. Long moved, that a committee be appointed to act in conjunction with a like committee of the Council, to examine the Territorial Treasurer's books, and the Auditor's warrants redeemed during the year 1863, and to make such disposition of said redeemed warrants as they shall see proper, and report at an early day. Seconded and carried.

The speaker appointed the committee on claims and appropriations, and Mr. Long, to attend to said business.

Mr. Thurber, chairman of committee on revenue, to whom was referred a petition from the County court of Utah county; also the petition from the Grand Jurors of Utah county; also the petition of C. H. Bryan and 135 others, citizens of Juab county, asking appropriations from the assessed Territorial tax of 1863, for their relief, reported adversely to granting said petitions, deeming it inexpedient to interfere in the manner petitioned with the Territorial revenue for said year.

On motion, the report was received, and the committee discharged from further consideration of said petitions.

Mr. Callister, chairman of committee on counties, to whom was referred petition for the organization of a new county in Ogden valley, reported adversely to granting said petition.

On motion of Mr. Wright, the report was received and the committee discharged from further duties on the subject.

Mr. Pitchforth presented, "An act regulating cattle drives," which was read, and laid on the table to come up in its order.

Business in order being called up,

(H. F. No. 22) "An act concerning mining claims," was taken up, and pending discussion on the same, the bill was referred to a special committee.

Whereupon, the Speaker appointed Messrs Pratt, Farr, Long, Rockwood and Wright said committee.

Mr. Wandell moved, for a re-consideration of vote on printing fifty copies of report of Territorial superintendent of common schools; and moved, that 200 copies of said report, with accompanying statistical table, and the acts in force in relation to common schools, be printed in pamphlet form, and that 100 of the same be subject to the order of the Territorial superintendent of common schools; also that said report and statistical table, be printed in the journals of the assembly. Seconded and carried.

ANNUAL REPORT

OF THE SUPERINTENDENT OF COMMON SCHOOLS.

TO THE HON. THE LEGISLATIVE ASSEMBLY
OF UTAH TERRITORY;

GENTLEMEN:—The superintendent of common schools herewith presents his statistical report, and regrets that it is not in his power to represent therein all the counties in the Territory; in consequence of the county superintendents of Sanpete, Summit and Washington, having failed to report.

The counties represented, exhibit fifty-three per cent of names enrolled of the school population, i.e., of males between the ages of four and eighteen, and females between the ages of four and sixteen; schools being kept, on an average, six and a half months in the year.

Considering the circumstances under which the inhabitants of this isolated, mountainous Territory school their children, the number of names enrolled in school schedules is comparatively very high, and taken in connection with the number of months schools are kept open, is highly creditable to the inhabitants of Utah.

The ancient doctrine that the property of the State should educate its children, obtains throughout this nation; hence States have raised taxes to support common schools, donated their surplus revenues, taxed their banks, their railroad companies—appropriated the fines collected on several classes of suitable offences, a certain percentage collected from licences, also amounts accruing from forfeitures, escheats, etc., etc.

Conceiving the magnitude and importance of education, the General Government has been liberal in donating to the States and Territories large portions of the public domain. From this and other sources a school fund has been raised in some of the States, amounting to several million dollars, yielding handsome yearly revenues. Indiana and Illinois have respectively about \$5,000,000 of a school fund.

In the State of California, over one million dollars has already been realized from the school lands sold, and there are several million acres yet unsold.

Oregon has realized sixteen thousand dollars from her school and university lands, and, as in common with all new States, Congress has granted to her one eighteenth of the surveyed lands for educational purposes, her prospects for a handsome school fund are very flattering. To Washington Territory the school lands granted by Congress, amount to over ten million acres.

This means of raising an educational fund and source of income is not open to Utah, the General Government having failed to extinguish the Indian title to the lands.

The superintendent, in his intercourse with school trustees and others, has felt that the public mind is ripening in relation to the establishment of a school fund. Were such a fund established, he would recommend that a liberal number of scholarships should be distributed each year to the respective counties in the Territory, giving to each county the right to such scholarships, in proportion to the ratio of population attending school, or upon any equitable ratio which might be considered best by the wisdom of the Legislative Assembly. In the absence of a school fund, the superintendent now recommends that an appropriation be made from the Territorial funds to defray the expenses of tuition of a limited number, to be divided equitably among the counties of those who have mastered the elementary branches of education, and who are willing to declare in writing that it is their intention, in further qualifying themselves, to become teachers in this Territory.

The superintendent recommends, that an annual appropriation be made to any city or cities which shall maintain a free school or schools wherein the children of those who are too poor to educate their children may be taught gratuitously, and, where necessary, furnished with school books. Said Territorial appropriation not to exceed one third the expense of maintaining such school or schools, leaving the counties and cities to furnish respectively the other two thirds: *Provided*, That such schools are maintained on economical principles, and that the school teachers hired to teach therein, be required to report such schools in conformity with law.

To encourage school teachers, the superintendent suggests the propriety of the Legislature appropriating so much of the revenue annually to competent school teachers, who have taught so many years, increasing the sum as the number of years increase; for instance: To every competent teacher who has taught in this Territory years and has made faithful returns as required by stat-

ute, dollars. To every competent teacher who has taught years in this Territory and made returns as aforesaid, dollars; and so on, as the wisdom of the Legislature should deem subservient to the public weal.

Cogent reasons might be advanced to favor such appropriations. Experience yearly demonstrates that some of our most efficient and popular teachers throw aside their honorable profession for the more lucrative one of the farmer, stock raiser or book keeper, nor is this to be censured or wondered at, when we consider the increasing responsibilities that attach themselves to this people, requiring them to avail themselves of every laudable means of obtaining social comfort and independence.

To facilitate the collection of correct statistics, the superintendent recommends that county superintendents be required to furnish school trustees, for the use of teachers, a ruled sheet, on which the daily attendance of every scholar would be apparent at a glance, and the daily and average daily attendance be easily obtained: *Provided*, The teacher is faithful in posting his attendance sheet. Many teachers do not keep a school list of attendance, and are consequently unable to furnish the daily and average daily attendance as required by statute.

Were the school quarters divided by regulation or law, allowing the usual holidays and intervals generally given to schools, it would be a help to the statistical department. A teacher might commence at any time, but if he did not begin at the commencement of a regular term, his returns would show that he taught one month in the first, second or third quarter, as the case might be, and thereafter, his school quarters would correspond with the returns throughout the Territory.

The superintendent recommends the consolidation of the statutes relating to common schools, and, to secure this end, suggests the propriety of re-enacting this session, a school bill which would include all the laws and parts of laws now in force upon the subject.

The superintendent, by enactment of last session, was required to furnish each county superintendent with a record, so ruled and headed that therein might be recorded with facility a faithful transcript of all returns made by trustees and teachers to county superintendents. This law is inoperative until an appropriation is made for the purpose.

Respectfully submitted by

ROBT. L. CAMPBELL,

Territorial superintendent of common schools.

Territorial Superintendent's Office,

G. S. L. City, Jan. 14, 1864.

SCHOOL STATISTICS of Utah Territory, for year ending November, 1863.

Names of Counties.	Nos. of Districts in County.			No. of Districts reported.	No. of School-houses reported.			No. of Schools.	No. of Male Teachers.	No. of Female Teachers.	No. of boys in district between the ages of 4 and 18 years.	No. of girls between 4 and 16 years.	Total No. of children in district.	No. of boys enrolled in school schedules.	No. of girls enrolled in school schedules.	Total enrolled in school schedules.	Per centage of names enrolled.	Average daily attendance.	Per centage of children actually attending school.	Number of months schools have been taught during the year.			
	2	2	6		6	4	3																
Beaver	2	2	6		6	4	3	207	169				376	121	97	218	58	193	51	1-2	6	1-2	
Box Elder	5	4			6			315	315				630	146	83	229	37	1-3		7			
Cache					14	15	7	655	607				1262	240	332	672	53	1-4	535	42	1-3	6	1-2
Davis	13				10	9	4	582	616				1198	285	318	603	50	1-3	260	22	1-2	10	
Great Salt Lake	30	24			41	25	22	1711	1631				3242	906	945	1851	57	1-8	819	25	1-4	8	
Iron	6	5			8	6	3	202	194				396	144	128	272	68	3-4	217	54	3-4	5	
Juab					4	2	2	100	90				190	60	70	130	68	1-2	50	26	1-3	7	
Millard	6	3			2	2	2	196	142				338	91	64	155	45	4-5	101	30		5	
Morgan	7	3			2	2	1	97	70				157	29	32	71	45	1-6	64	34	1-2	4	2-3
San Pete																							
Summit																							
Tooele	7	4			5	4	4	170	180				330	93	110	203	61	1-2	150	45	1	2	5
Utah	16	12	13		21	17	14	1219	1313				2532	655	581	1236	48	5-8	602	23	4	5	8
Wasatch					3	2	1	170	145				315	90	76	166	52	2-3	84	26	2-3	6	
Washington																							
Weber	16	7			14	7	4	323	330				653	174	183	357	54	3-8	265	40	1-2	7	1-3
Total.	106	64	19		132	95	67	5937	5692				11619	3144	3019	6163	53	-	3330	28	3-4	6	1-2

The amounts paid to teachers and the amounts expended on school buildings are not reported regularly; hence they are omitted in this report. Fees for tuition range from three to five dollars per quarter.

The minutes were read and approved.

On motion of Mr Pratt, the House adjourned till to-morrow, at 10 a.m.

Benediction by the Chaplain.

FRIDAY, JANUARY 15, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Friday, January 15, 1864, 1 p.m. }

Council met pursuant to adjournment.

On motion of Councilor Benson, Councilor Hyde was elected President pro tem.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

REPRESENTATIVES' HALL, }
January 15, 1864. }

"GENTLEMEN:—The House of Representatives has passed (H. F. No. 27.) 'An act to incorporate Provo city,' and (H. F. No. 9.) 'An act in relation to Territorial, County, City and School Taxes,' which is herewith enclosed for the action of your Honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker."

(H. F. No. 9.) "An act in relation to Territorial, County, City and School Taxes," was read, and,

On motion of Councilor Woodruff, was referred to the committee on judiciary.

(H. F. No. 27.) "An act to incorporate Provo City," was read, and,

On motion of Councilor Rich, the Council concurred.

The following was received from the House:

GENTLEMEN:—The House of Representatives has this day passed the two enclosed memorials to the Honorable Montgomery Blair, for increased mail facilities. The House concur in your amendments to (H. F. No. 20,) also (C. F. No. 6.)

Your bill is respectfully returned to be engrossed.

The House has appointed Messrs. E. D. Woolley, A. K. Thurber, A. P. Rockwood and J. V. Long, a committee to act in conjunction with a like committee of the Council, to examine the Territorial Treasurer's books, etc.

Will you please to appoint a similar committee?

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Carrington moved, that a committee of one be appointed to act in conjunction with the committee of the House referred to above.

The President appointed Councilor Harrington, said committee.

(H. F. No. 4.) "Memorial to Hon. Montgomery Blair, Postmaster General, for a daily mail from Great Salt Lake City to Bannack city," was read, and,

On motion of Councilor L. Snow, the Council concurred.

(H. F. No. 5.) "Memorial for increased mail service," was read, and,

On motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and kanyons.

On motion of Councilor Benson, the House of Representatives was requested to meet the Council in Joint Session, in the Representatives' Hall, 1.30. p.m. of Wednesday, 20th inst., for the purpose of electing the officers elective, by the Legislative Assembly.

Councilor Lyman, presented the following report:

Your committee, to whom was referred the consideration of the condition of the State road, at the crossing of the Sevier river; having considered the same, do respectfully recommend that the sum of two hundred dollars be incorporated in the general appropriation bill. Said amount to be applied, in connection with the sum of three hundred dollars already appropriated, for the repairs of the bridge crossing the Sevier river, and the road leading to and from the same, in the immediate vicinity of said bridge.

AMASA M. LYMAN, Chairman.

On motion of Councilor Harrington, the report was accepted, and the committee instructed accordingly.

Councilor L. Snow, chairman of the committee on education, to whom was referred (C. F. No. 8.) "An act authorizing a toll bridge across Thomas' Fork, of Bear river," reported the same back by substitute, which was read, and,

On motion of Councilor Rich, was read the second time, and,

On motion of Councilor Rich, the bill was read the third time by its title, and so passed, and was sent to the House for concurrence.

Councilor Woodruff, chairman of the committee on appropriations, to whom was referred "Petition of Charles S. Peterson and others, praying for an appropriation for a road in Weber kanyon," reported the same back, and recommended an appropriation of \$2,500 for said purpose.

On motion of Councilor Rich, the report was accepted, and the committee on appropriations instructed accordingly.

The following report was received:

MR. PRESIDENT,

GENTLEMEN OF THE COUNCIL:

Your special committee appointed to act in conjunction with a committee from the House to ascertain what amount of means is placed to the credit of Utah for the purpose of repairing the Penitentiary. We find, by making the necessary inquiry, there is \$8363 placed to the credit of Utah.

We would recommend that the Legislative Council memorialize Congress to order the proper officer to pay over to the Territorial Treasurer the above amount; that we also ask, in addition to the above amount, \$12,000 more, that the Penitentiary may be put in good repair.

E. T. BENSON.

On motion of Councilor Rich, the report was accepted, and the committee on memorials were instructed on the subject, to memorialize Congress accordingly.

On motion of Councilor Smith, the chairman of the committee on Penitentiary was added to said committee to consider said subject.

The following was received from the House:

GENTLEMEN:—The House of Representatives have passed (C. F. No. 11.) "An act assigning the Chief Justice," and (C. F. No. 12.) "An act in relation to the Supreme court," which are now respectfully returned to be engrossed. The House also concurs in meeting with the Council in joint session in the Representatives' Hall on Wednesday, the 20th inst., at 1.30 p.m.

Very respectfully,

JOHN TAYLOR, Speaker.

Councilor Lyman, to whom was referred (H. F. No. 18.) "An act granting unto Joseph Young, sen., the right to establish and control ferries on Bear river, also a bridge on the Malad," reported the same back amended, which was read the second time by sections, and amended, and,

On motion of Councilor Rich, was passed as amended, and was sent to the House for their concurrence in the amendments.

Councilor Lyman, to whom was referred "An act for the location of a road from G. S. L. city to St. George, via Deseret city," reported the same back, and recommended non-concurrence therein.

On motion of Councilor Rich, the report was accepted, and the committee discharged from the further consideration thereof.

Councilor Carrington presented, "Resolution convening Legislative Assembly," which was read, and,

On motion of Councilor Benson, passed, and was sent to the House for concurrence.

The minutes being called for, were read and accepted.

On motion of Councilor E. Snow, the Council adjourned till tomorrow at 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 15, 1864, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

(H. F. No. 27.) "An act to incorporate Provo City," was taken up, pending the reading of the same,

The following message was received and read, from the Acting-Governor:

"EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 14th, 1864. }

Hon. JOHN TAYLOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have this day approved and signed the act entitled "An act to provide for organization of telegraph companies," also,

The act entitled "An act authorizing the issuing of executions against judgment debtors, non-residents of the county," also,

The act entitled "An act supplementary to, and amendatory of, an act to incorporate the City of St. George, in Washington county, approved January 17th, 1862," also,

The act entitled "An act in relation to building a bridge across Provo river, and have deposited the same in the office of the Secretary of the Territory.

I have also approved and signed the memorial entitled "Memorial to Congress for an act authorizing the removal of the Indians in Utah Territory, to the Uinta reservation," which, as soon as recorded, I shall forward to Congress.

AMOS REED, Acting-Governor.

(H. F. No. 27.) "An act to incorporate Provo City," pending the second reading of which, the message from Acting-Governor Reed was read, passed its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

[H. F. No. 9.] "An act in relation to Territorial, county, city and school taxes," was taken up on its second reading and amended, and so passed.

Said bill passed its third reading by its title.

The title of said bill was read and approved.

On motion of Mr. Rowberry, the House adjourned for one hour.

1 p. m.

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

(C. F. No. 11.) "An act assigning the Chief Justice," was taken up on its second reading, and passed.

Said bill passed its third reading by its title.

The title of said bill was read and approved.

(C. F. No. 12.) "An act in relation to the Supreme court," was taken up, and read the second time.

Said bill passed its third reading.

[H. F. No. 30.] "An act to establish a road from Huntsville, in Weber county, to Bear river lake Valley," was read the first time.

[H. F. No. 31.] "An act appropriating money to be expended on the lower Salt Creek canyon road," was read the first time.

[H. F. No. 32.] "An act regulating cattle drives," was taken up and read the first time.

Mr. Callister, chairman of committee on counties, to whom was referred, petition of the inhabitants of Gunnison, for the organization of a county in Sevier Valley, reported adversely to granting said petition.

On motion of Mr. Allred, the report of the committee was received and the committee discharged from further duties on the subject.

[H. F. No. 17.] "An act granting to Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries across Green river," was taken up, and passed its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

A message was received and read, from the Council, requesting the House of Representatives to meet in Joint Session in the Repre-

sentatives' Hall, on Wednesday, the 20th inst., at 1:30 p. m., to elect the officers elective by the Legislative Assembly.

On motion of Mr. Maughan, the House concurred with the Council in their request for Joint Session.

A message was received and read from the Council, announcing their concurrence in [H. F. No. 27.] "An act to incorporate Provo City," also in [H. F. No. 4.] "Memorial to Hon. Montgomery Blair, Postmaster-General, for a daily mail from Great Salt Lake City to Bannack City," which are respectfully returned to be engrossed.

They had also appointed Councilor Harrington a committee to act with House committee on examination of Territorial Treasurer's books and Auditor's warrants redeemed in 1863.

[H. F. No. 31.] "An act appropriating money to be expended on the lower Salt Creek canyon road," was taken up and read the first time.

Said bill passed its second reading.

Said bill passed its third reading by its title.

The title of said bill was read and approved.

On motion of Mr. Richards, the committee on claims and appropriations were instructed to incorporate the sum of \$400 in the Territorial appropriation bill, to be expended on the lower Salt Creek canyon road.

Mr. Wright, chairman of special committee from the House, appointed, in conjunction with a like committee of the Council, to confer with the Governor, in relation to appropriations made by Congress for the completion of the Penitentiary in Utah Territory, reported,

That they had been credibly informed, that there is in the Treasury of the United States, \$8363 appropriated by the General Government, for the completion of the Utah Penitentiary, subject to be drawn by proper authority, to be expended for the aforesaid purpose, and that in compliance with the suggestions of His Excellency, recommended that a memorial be immediately addressed to the Secretary of the Interior, praying for his official attention to be called to the examination of this subject; and that he be respectfully requested to report the facts, as soon as ascertained to Hon. Messrs. John F. Kinney, Delegate, and His Excellency, J. Duane Doty, Governor of Utah; and that said memorial also set forth the necessity, and ask for an additional appropriation of \$11637 to be made by the present Congress, for the completion, as far as practicable, and as possible the aforesaid Utah Penitentiary.

Mr. Lunt moved, that the subject reported upon by Mr. Wright, be referred to the committee on petitions and memorials, with in-

structions to draft a Memorial to Congress for the consideration of the House. Seconded and carried.

The minutes were read and approved.

On motion the House adjourned till to-morrow, at 1 p. m.

Benediction by the Chaplain.



SATURDAY, JANUARY 16, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Saturday, January 16, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

GENTLEMEN:—The enclosed two bills, [H. F. No. 17.] "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries across Green River," and [H. F. No. 31.] "An act appropriating money, to be expended on the lower Salt Creek kanyon road," have passed the House of Representatives and are now respectfully sent for the action of your Honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker.

[H. F. No. 17.] "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries across Green river," was read, and,

On motion of Councilor Woodruff, was amended, by adding an additional section, and,

On motion of Councilor Woodruff, was read the second time by sections, and,

On motion of Councilor Rich, the bill was read the third time by its title, and so passed, and was sent to the House for their concurrence in the amendments.

[H. F. No. 31.] "An act appropriating money, to be expended on the lower Salt Creek kanyon road," was read, and,

On motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and kanyons, with instructions to consider the expediency of including the amount required in the general appropriation bill.

Councilor Woodruff, to whom was referred the claims of J. D. T. McAllister and S. M. Blair, reported favorably to the claims of the former, and adversely to that of the latter.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred [H. F. No. 31.] "An act appropriating money, to be expended on the lower Salt Creek kanyon road," reported favorably to the bill, and,

On motion of Councilor Carrington, the bill was referred to the committee on appropriations, who were instructed to further consider the subject.

On motion of Councilor Carrington, the committee on appropriations, were instructed to include the Territorial Marshals claim in the general appropriation bill.

The following was received from the House:

GENTLEMEN.—The enclosed bill, [H. F. No. 28.] "An act concerning the issue of paper, to be used as money," has passed the House, and is respectfully sent for your action, also [H. F. No. 16.] "An act for the formation of corporations," which is also enclosed, and forwarded for your action.

Respectfully,

JOHN TAYLOR, Speaker.

Which was read, and,

On motion of Councilor Woodruff, [H. F. No. 28,] was referred to the committee on judiciary:

On motion of Councilor Smith, [H. F. No. 16,] was referred to the committee on incorporations.

The minutes being called for, were read and accepted.

On motion of Councilor Rich, the Council adjourned till Monday, Jan. 18, 2 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
Jan. 16, 1864, 1 p. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by Mr. Lunt.

Mr. Maughan, chairman of committee to whom was referred the petition of Charles S. Peterson and 175 others, praying for an apportionment of Legislative representation for Morgan county, reported,

That they had duly considered the subject, and do not deem any Legislation thereon necessary or expedient at this session of the Legislature.

On motion of Mr. Thurber, the report was accepted, and the committee relieved from the further consideration of the subject.

On motion of Mr. Farr, the rules of the House were suspended, and,

A bill entitled "An act concerning the issue of Paper to be used as money," was taken up, and passed its first reading.

Said bill was taken up on its second reading, and passed.

Said bill passed its third reading.

The title of said bill was read and approved.

[H. F. No. 16.] A bill entitled "An act for the formation of corporations," was taken up on its second reading by sections, and amended, and so passed.

Said bill passed its third reading.

The title of said bill was read and approved.

Mr. Preston, chairman of committee on roads, etc., to whom was referred the petition of Robert Gardner, James G. Bleak, and 115 others, reported having had the same under careful consideration, and in view of the vast amount of road necessary to be made over this rough and isolated country, recommended that the committee on claims and appropriations, be instructed to incorporate in the Territorial appropriation bill, the following sums to be expended under the supervision of the Territorial road commissioner, for making and repairing the road from Toquerville to Springdale, \$500. To be expended on the road from Santa Clara, via St. George, Middleton, Washington and Hamburg, to old Fort Harmony, \$2500. For making and repairing the road from St. George via Diamond Valley, to Pine Valley, \$500.

Said committee also recommended the sum of \$500, to be incorporated in said appropriation bill for the purpose of building a bridge across the Sanpitch river, in Sanpete county, where the county road crosses said river.

On motion of Mr. Richards, the report was accepted, and the committee on claims and appropriations instructed accordingly.

[H. F. No. 30.] "An act to establish a road from Huntsville, in

Weber county, to Bear river lake Valley," was taken up and passed its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

A message was received and read, from the Council, announcing their concurrence in [H. F. No. 17.] "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries on Green river," by adding an additional section.

Said additional section was read, and the House concurred in the action of the Council adding said section.

A message was received and read, from the Council, announcing that they had passed "Resolution convening the Legislative Assembly," also, [C. F. No. 13.] "An act authorizing a toll bridge across Thomas' Fork of Green river."

They had also passed [H. F. No. 13.]" "An act granting to Joseph Young, Sen., the right to establish and control ferries on Bear river, also a bridge on the Malad," with amendments.

They did not concur in (H. F. No. 21.) "An act for the location of a road from Gt. S. L. City, to St. George, via Deseret City.

Said "Resolution convening the Legislative Assembly," was read, and,

On motion of Mr. Richards, the House concurred with the Council, in the adoption thereof.

[C. F. No. 13.] "An act authorizing a toll bridge across Thomas' Fork of Green river," was read, and laid on the table to come up in its order.

(H. F. No. 18.) "An act granting to Joseph Young, Sen., the right to establish and control ferries on Bear river, also a bridge on the Malad," was read as amended by the Council, and the amendments concurred in.

(H. F. No. 32.) "An act regulating cattle drives," was taken up on its second reading, and passed.

Said bill passed its third reading, and the title thereof read and approved.

The minutes were read and approved.

On motion of Mr. Richards, the House adjourned till Monday at 10 a. m.

Benediction by the Chaplain.

MONDAY, JANUARY 18, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
Monday, January 18, 1864, 2 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

GENTLEMEN:—The House of Representatives has concurred in the amendments of the Council to [H. F. No. 17.] and [H. F. No. 18.] also the Council "Resolution convening the Legislative Assembly."

The House has also passed [H. F. No. 32.] "An act regulating cattle drives," which is herewith sent for the action of your Honorable body, also (H. F. No. 30.) "An act to establish a road from Huntsville, Weber county, to Bear river lake ferry."

JOHN TAYLOR, Speaker.

Which were read, and,

On motion of Councilor Rich, [H. F. No. 30.] was referred to the committee on claims and appropriations.

On motion of Councilor Rich, [H. F. No. 32:] "An act regulating cattle drives," was not concurred in.

On motion of Councilor Harrington, the committee on appropriations were instructed to incorporate the sum of \$1500 in the Territorial appropriation bill, to be expended under the direction of the Territorial Road Commissioner, on the State road, at the point of the mountain, at or near the line between G. S. L. county and Utah county.

Councilor Smith presented, [C. F. No. 14:] "An act changing the county seat of Sanpete county, which was read the first time, and,

On motion of Councilor Hyde, was read the second time, and,

On motion of Councilor Benson, was read the third time, and was sent to the House for concurrence.

On motion of Councilor Benson, the committee on appropriations were instructed to incorporate the sum of \$800 in the Territorial appropriation bill, to be expended under the direction of the Territorial Road Commissioner, on the road leading from the mouth of Box Elder kanyon, to Wellsville, in Cache county.

On motion of Councilor Smith, the committee on appropriations, were instructed to incorporate the sum of \$5000 in the Territorial appropriation bill, to be expended under the direction of the Territorial Road Commissioner, on the road over the Black Ridge, between St. George and old Harmony.

Councilor Harrington presented, petition of P. Lynch, for appropriation for services rendered in criminal cases, which was read, and,

On motion of Councilor Benson, was referred to the committee on appropriations.

On motion of Councilor Hyde, the committee on appropriations were instructed to incorporate the sum of \$500 in the Territorial appropriation bill, to be expended under the direction of James M. Jones, Fairview, to improve the road through Thistle Creek canyon, in Utah county.

Councilor Smith presented, (C. F. No. 15.) "An act concerning Notaries Public, in and for Washington county," which was read, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Hyde, was read the third time by its title, and so passed, and was sent to the House for concurrence.

Councilor Smith, to whom was referred the report of Councilor Benson, on the 15th, with regard to memorializing Congress for an appropriation for repairs on the Penitentiary, reported "Memorial to the Secretary of the Treasury of the United States, in relation to the unexpended funds appropriated for the erection of Utah Penitentiary," also,

"Memorial to Congress for an appropriation to complete the Utah Penitentiary," but reported adversely to their adoption.

On motion of Councilor Harrington, the report was accepted, and the memorials read,

On motion of Councilor Rich, the memorials were laid on the table till to-morrow.

The minutes being called for, were read and accepted.

On motion of Councilor Benson, the Council adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 18, 1864, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Long presented, claim of E. W. East, County Clerk, G. S. L. county, for services rendered in 1862, advertizing elections, making reports and giving certificates, procuring tax books and assessment roll, copying and footing Territorial taxes and making reports to Territorial Auditor and Treasurer

\$70 00

For similar services rendered in 1863

70 00

\$140 00

Which was read, and referred to the committee on claims and appropriations.

Mr. Rockwood, chairman of committee on agriculture, trade and manufactures, to whom was referred, the petitions of G. Snow and 83 others, Elijah Sheets and 46 others, John Brown and 40 others, reported having attended to the duties assigned, and recommended the favorable consideration of accompanying bill.

Said accompanying bill, "An act on joint enclosures," was read, and laid on the table to come up in its order.

Mr. Johnson presented, resolution, instructing the committee on military affairs to recommend the adoption of some code of military tactics, for the use and service of the militia of this Territory, and that the accompanying "Light Infantry tactics," edited by Wm. B. Pace, receive their special consideration.

On motion of Mr. Richards, said resolution and accompanying document was referred to the committee on militia.

[H. F. No. 15.] "An act for the better regulation of stray pounds and for other purposes," was taken up on its second reading, pending discussion on the 7th section, the House adjourned till 3 p. m.

3 p. m.

House re-assembled as per adjournment.

Roll called. Quorum present.

The consideration of [H. F. No. 15.] "An act for the better regulation of stray pounds, and for other purposes," was resumed,

and pending the consideration of section 8, the bill was laid over for further consideration.

A message was received and read, from the Council, announcing their non-concurrence in [H. F. No. 32.] "An act regulating cattle drives," and their passage of [C. F. No. 14.] "An act changing the county seat of Sanpete county," and [C. F. No. 15.] "An act concerning Notaries Public."

Mr. Woolley presented, petition of Z. Snow, and 9 others, for alteration of the law known as the "Fee bill," which was read, and,

On motion of Mr. Lunt, referred to the committee on judiciary.

The minutes were read and approved.

On motion of Mr. Preston, the House adjourned till to-morrow, at 10 a. m.

Benediction by the Chaplain.

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TUESDAY, JANUARY 19, 1864.

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COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Tuesday, Jan. 19, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

REPRESENTATIVES' HALL, }
January 19th, 1864. }

HONORABLE THE PRESIDENT

AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The enclosed bill, (H. F. No. 22.) "An act concerning mining claims," has passed the House, and is now sent for your action.

JOHN TAYLOR, Speaker.

Said bill was read, and,

On motion of Councilor Harrington, was read the second time by sections, and,

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On motion of Councilor Woodruff, was read the third time by its title, and so the bill passed.

Councilor Carrington, to whom was referred (H. F. No. 28.) and (C. F. No. 10.) returned said bills with an accompanying substitute, and recommended passing said substitute, in lieu of the aforesaid bills.

On motion of Councilor Benson, the report was accepted, and the committee discharged from further consideration of the subject. Said substitute was read the first time, and,

On motion of Councilor Harrington, was read the second time by sections, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and was sent to the House for concurrence.

The following communications were received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 16th, 1864. }

THE HON. DANIEL H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have this day approved and signed the following acts, viz:—

“An act to provide for the organization of Richland and Kane counties.”

“An act in relation to the Supreme Court,” and “An act assigning the Chief Justice,” and have deposited the same in the office of the Secretary of the Territory.

AMOS REED,
Acting Governor.

THE HON. DANIEL H. WELLS, PRESIDENT OF THE COUNCIL:

SIR:—I have this day approved and signed the resolution entitled, “Resolution convening the Legislative Assembly,” and have deposited the same in the office of the Secretary of the Territory.

AMOS REED,
Acting Governor.

Councilor Woodruff presented, claims of James Ferguson, deceased, for services rendered the people of the Territory, in the prosecution of Joseph Holladay; also bill of P. Lynch, in criminal cases, which, were read, and,

On motion of Councilor Rich, were referred to the committee on appropriations, with instruction to enquire into the validity of the claims.

“Memorial to the Secretary of the Treasury of the United States,

in relation to the unexpended funds appropriated for the erection of Utah Penitentiary," was read, and,

On motion of Councilor Benson, was adopted, and sent to the House for their concurrence.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and kanyons, to whom was referred the "Petition of Wm. W. Raymond and 61 others, asking for an appropriation of \$500 to aid in the construction of a bridge over the Weber river," recommended that the committee on appropriations, be instructed to include the above named amount in the general appropriation bill, to be expended under the direction of the Territorial Road Commissioner.

On motion of Councilor Rich, the report was accepted.

The following was received from the House:

GENTLEMEN:—The House of Representatives have passed the enclosed resolution, in relation to iron and coal in this Territory; also (H. F. No. 15.) "An act for the better regulation of stray pounds, and for other purposes."

They have also concurred in (C. F. No. 14.) "An act changing the county seat of Sanpete county," and have amended (C. F. No. 15.) by adding another section. Do you concur in this amendment?

JOHN TAYLOR, Speaker.

(C. F. No. 15.) "An act concerning Notaries Public" for Washington and other counties, was read as amended, and,

On motion of Councilor Smith, the Council concurred in the amendments.

(H. F. No. 34.) "Resolution concerning coal and iron mines," was read, and,

On motion of Councilor Carrington, the resolution was not concurred in.

(H. F. No. 15.) "An act for the better regulation of stray pounds and other purposes," was read, and,

On motion of Councilor Smith, was referred to the committee on agriculture, trade and manufactures.

Councilor Lyman, to whom was referred "Memorial to Postmaster General," returned the same, with slight alterations, and recommended its adoption as amended, which was read, and,

On motion of Councilor Smith, the Council concurred, and the memorial was sent to the House for concurrence in the amendments.

The following was received from the House:

GENTLEMEN:—The House of Representatives has passed (H. F. No. 36.) "An act to incorporate the Seventies' Library and

Reading Room Association," and has concurred in (C. F. No. 16.)
"An act to prohibit the use of certain paper as money."

Very Respectfully,

JOHN TAYLOR, Speaker.

"Memorial to Congress for an appropriation to complete the Utah Penitentiary," was read, and,

On motion of Councilor Smith, was referred to the committee on Penitentiary.

On motion of Councilor E. Snow, the committee on appropriations were instructed to incorporate the sum of \$150 in the general appropriation bill, to defray the expenses of binding books, belonging to the Territorial Library.

(H. F. No. 36.) "An act to incorporate the Seventies' Library and Reading Room Association," was read, and,

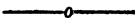
On motion of Councilor Carrington, was read the second time by sections, and,

On motion of Council Carrington, was read the third time by its title, and so passed, and the House notified accordingly.

The minutes being called for, were read and accepted.

On motion of Councilor Smith, the Council adjourned till tomorrow, 1 p.m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 19, 1864, 10 a.m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Richards, the rules of the House were suspended, that the report of the special committee on the act concerning mining claims might be received.

Mr. Pratt, chairman of special committee, to whom was referred, "An act concerning mining claims," with instructions to report a substitute, if necessary, reported that they had said bill under consideration, and after mature deliberation, with a view to the interests of all concerned, have unanimously agreed to recommend the passage of the accompanying substitute, believing that it embraces

some important provisions, which were not in the original bill, but which are necessary to the perpetuity of our great government, and liberal institutions.

Said bill (H. F. No. 22) "An act concerning mining claims," was taken up and read the first time.

On motion of Mr. Rockwood, the rules of the House were suspended, and said bill passed its second reading with amendment.

Said bill was read the third time.

The title of said bill was read and approved.

On motion of Mr. Woolley, the House adjourned for one hour.

1 p. m.

House re-assembled as per adjournment.

Roll called. Quorum present.

The following was received and read:

TO THE HON. SPEAKER AND MEMBERS

OF THE LEGISLATURE OF UTAH:

Your committee to whom was referred that portion of the Governor's Message relating to the manufacture of iron, respectfully report, that having submitted inquiries to responsible individuals residing in various sections of the Territory, the following facts have been substantiated, viz:—

1st. That in Iron county, near Cedar City, mountains of iron ore exist, yielding from fifty to seventy-five per cent of pure iron, and that abundance of stone coal of good quality is found near by.

2d. That near the town of Beaver, in Beaver county, a fine bed of excellent iron ore has been opened, and preparations are being made to work the same. At Minersville, in the same county, rich veins of galena or lead ore are being successfully worked.

3d. That in Sanpete county, on the Sevier river, beds of iron ore and coal have been discovered. And at Coalville, in the same county, extensive coal mines are opened, and successfully worked, producing any required amount of coal of a good quality.

4th. At Provo in Utah county, satisfactory indications of the existence of stone coal has been found, and in working a tunnel into the mountain, the workmen passed through a rich vein of iron ore. The company are still pushing their research.

5th. That in Summit county there are in successful operation, work, in coal beds of great thickness, capable of producing any desired quantity of coal of good quality, and very recently a bed of iron ore of fine quality, and readily producing an excellent article of iron, has been discovered and thoroughly tested. It is expected

that a number of capitalists are about establishing a foundry for the manufacture of cast and wrought iron.

Your committee is convinced that in many parts of this Territory, iron ore, and stone coal, both of good quality, and in great abundance exists, and may be easily obtained, and would recommend that this body call the attention of the President and Directors of the Pacific Railroad Company to the foregoing facts.

They would further state that as the period for gaining information upon this extended subject has been necessarily very brief, they were unable to incorporate in this report only the most prominent facts in this connexion. In view of the foregoing we recommend the accompanying Joint Resolutions.

A. P. ROCKWOOD,

Chairman of Committee on Agriculture, etc.

On motion of Mr. Van Cott, the report was received, and, the resolution read and adopted.

Mr. Johnson presented, a bill for an act to encourage the production of sugar, which was read, and laid on the table to come up in its order.

Accompanying said bill a sample of sugar was produced, and passed round the House to each member.

On motion of Mr. Richards, Mr. Johnson gave the following items relative to the manufacture of said sugar:

The sample of sugar presented was made by Mr. O. F. Eastman, residing in front of Union Square, 17th Ward, was made from the Imphee, grown on Union Square; planted rather late, and worked up before it was fully ripe; harvested and worked up at once, about October 20th, was clarified by the clay process, and boiled in an evaporator, rapidly; syrup reduced to a medium density, placed in a keg in the usual manner; it at once began to chrystalize; two-fifths of the bulk of the syrup formed chrystals as per specimen.

On motion of Mr. Callister, the committee on claims and appropriations, were instructed to incorporate in the Territorial appropriation bill the sum of \$150 to be expended under the direction of Thomas R. King, to repair the State House in Fillmore City.

Mr. Long presented, a bill for "An act incorporating the Seventies' Library and Reading Room Association," which was read and laid on the table to come up in its order.

[H. F. No. 15.] "An act for the better regulation of stray pounds, and for other purposes," was taken up and amended, and so passed its second reading.

Said bill was read the third time.

The title of said bill was read and approved.

Messages were received and read from the Council, announcing their concurrence in passage of (H. F. No. 22.) "An act concerning mining claims," and their non-concurrence in (H. F. No. 28.) "An act concerning the issue of paper, to be used as money, and their substitution therefor (C. F. No. 16.) "An act to prohibit the use of certain paper as money."

Said bill (C. F. No. 16.) "An act to prohibit the use of certain paper as money," was read the first time.

(H. F. No. 33.) "An act concerning joint enclosures and division fences," was read the first time.

(C. F. No. 13.) "An act authorizing a toll bridge across Thomas' Fork of Bear river," was read the first time.

(C. F. No. 14.) "An act changing the county seat of Sanpete county," was taken up and read the first time.

On motion of Mr. Pratt, the rules were suspended and said bill passed to its second reading.

Said bill passed its third reading.

The title of said bill was read and approved.

(C. F. No. 15.) "An act concerning Notaries Public in and for Washington county," was taken up and read the first time.

Said bill was taken up on its second reading, and amended.

Said bill passed its third reading.

The title of said bill was read, amended and so approved.

(H. F. No. 36.) a bill entitled "An act to incorporate the Seventies' Library and Reading Room," was taken up on its second reading and passed.

Said bill was read the third time.

The title of said bill was read and approved.

A bill for "An act to encourage the production of sugar," was taken up, pending the consideration of which,

It was moved by Mr. Rockwood, that \$150 be incorporated in the Territorial appropriation bill to accomplish the objects of said bill.

The following was received and read:

TO THE HONORABLE

COMMITTEE ON CLAIMS AND APPROPRIATIONS:

GENTLEMEN:—The undersigned, the Treasurer and Auditor of public accounts for the Territory of Utah would respectfully represent:

1st. That within the past two years, every article necessary for the support of a family has increased in price more than double, and very many things fourfold.

2d. That within the same period the responsibilities, duties and labors of the undersigned have more than doubled, in consequence of the increasing resources and business of the Territory.

3d. That in all the emoluments heretofore allowed to the Treasurer and Auditor, reference has never been had to office rent, fuel and lights, the two latter being at the present time items of considerable expense.

Therefore we would respectfully solicit that in your appropriation bill for the year 1863, you would kindly insert the words "four" hundred in lieu of "two" hundred dollars heretofore allowed for salary of Treasurer and Auditor each.

Believing that your own experience will be a better guide as to the truth of the statements herein, than anything we could add, we have the honor to remain,

Very Respectfully, Your Obedient Servants,

DAVID O. CALDER,
WILLIAM CLAYTON.

On motion of Mr. Woolley, the committee on claims and appropriations were instructed accordingly.

Mr. Long presented, bill of "Deseret News," which was read and referred to the committee on claims and appropriations, with instructions.

(C. F. No. 16.) "An act to prohibit the use of certain paper as money," was taken up on its second reading and passed.

Said bill passed its third reading.

The title of said bill was read and approved.

Mr. Farr moved, that the committee on claims and appropriations be instructed to incorporate in the Territorial appropriation bill \$500 to be expended under the direction of the Territorial road commissioner for the purpose of turning the Weber river where the Territorial road crosses said river, so as to secure the east abutment and the bridge from being carried away by high water.

Also the sum of \$500 to be appropriated for securing the south abutment of the Ogden bridge, and for repairs that are necessary to be made above and below the bridge.

And that the sum of \$25 be appropriated to Nathan Slater to remunerate him for the land that was taken and crop destroyed for the purpose of opening a new road in consequence of the old road having been destroyed by high water.

Seconded and carried.

Mr. Wandell moved,

That the committee on claims and appropriations be instructed to include in the Territorial appropriation bill the following sums to be

held subject to the order of the Territorial superintendent of common schools; namely,

For 1,000 school attendance forms - - - -	\$10 66
" 1,000 " teachers reports - - - -	12 33
" 250 " trustees " - - - -	4 00
Three reams of paper for same - - - -	36 00
For Territorial superintendent's years services for 1863, including incidental expenses - - - -	\$150 00
	<hr/>
	\$212 99

The minutes were read and approved.

On motion, the House adjourned till to-morrow at 10 a. m.

Benediction by the Chaplain

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WEDNESDAY, JANUARY 20, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Wednesday, Jan. 20, 1864, 1 p. m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received from the House:

REPRESENTATIVES' Hall, }
G. S. L. City, Jan. 20, 1864. }

HONORABLE THE PRESIDENT AND MEMBERS OF THE COUNCIL:

GENTLEMEN:—The House has concurred in all your amendments to the enclosed memorial, and have added another paragraph. Do you concur?

Respectfully, etc.,
JOHN TAYLOR, Speaker.

Which was read, and,

On motion of Councilor Hyde, the Council concurred in the additional paragraph.

The time for Joint Session having arrived, the Council repaired to the Representatives' Hall for that purpose.

[See Joint Session Minutes.]

On the adjournment of Joint Session, the Council resumed their session.

Councilor Woodruff, chairman of the committee, to whom was referred (H. F. No. 15.) "An act for the better regulations of stray pounds and for other purposes," reported the same back, with a recommendation that the Council do not concur with the House in the passage of the bill.

On motion of Councilor Carrington, the report was accepted, and the committee discharged from the further consideration of the subject.

On motion of Councilor Rich, the bill was rejected.

The following communication was received:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Jan. 20, 1864. }

HON. D. H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have this day approved and signed the act entitled "An act concerning Notaries Public in and for Washington and other counties," also the act entitled "An act changing the county seat of Sanpete county," and have deposited the same in the office of the Secretary of the Territory.

AMOS REED, Acting-Governor.

Councilor Benson, chairman of the committee on Penitentiary, to whom was referred memorial to Congress, asking for an appropriation, reported the same back, recommended its passage, and,

On motion of Councilor Rich, the report was accepted and the committee discharged from the further consideration of the subject.

On motion of Councilor Benson, the subject concerning estray pounds and animals running at large, was referred to the committee on public domain; and Councilor Johnson was added to said committee.

On motion of Councilor Woodruff, "Memorial to Congress in relation to the Penitentiary," was adopted, and sent to the House for concurrence.

Councilor Carrington presented, "Resolution in relation to publishing and distributing the laws and journals of the thirteenth annual session," which was read, and,

On motion of Councilor Harrington, passed.

The minutes being called for were read.

On motion of Councilor Rich, the Council adjourned till to-morrow at 1 p. m.

Benediction by the Chaplain.

JOINT SESSION.

REPRESENTATIVES' HALL, G. S. L. City,
Wednesday, January 20, 1864, 1:30 p.m. }

The Legislative Assembly met in Joint Session according to previous agreement.

The President of the Council presiding.

Roll of the Council called. Quorum present.

Roll of the House called. Quorum present.

Prayer by the Chaplain of the House.

The President declared the Joint Session open and ready for the business before them of electing the officers elective, by the joint vote of the Assembly.

On motion of Mr. Richards, Albert Carrington was elected Chancellor of the University.

On motion of Councilor Harrington, Isaac Groo was elected a Regent of the University.

On motion of Mr. Maughan, John V. Long was elected a Regent of the University.

On motion of Councilor Benson, George W. Mousley was elected a Regent of the University.

On motion of Mr. Rockwood, T. B. H. Stenhouse was elected a Regent of the University.

On motion of Mr. Long, Karl G. Maeser was elected a Regent of the University.

On motion of Councilor Benson, Joseph A. Young was elected a Regent of the University.

On motion of Mr. Farr, Robert L. Campbell was elected a Regent of the University.

On motion of Mr. Thurber, Joseph W. Young was elected a Regent of the University.

On motion of Councilor Rich, H. I. Doremus was elected a Regent of the University.

On motion of Mr. Rockwood, Wm. Eddington was elected a Regent of the University.

On motion of Mr. Maughan, Thomas Bullock was elected a Regent of the University.

On motion of Mr. Richards, Samuel W. Richards was elected a Regent of the University.

On motion of Mr. Thurber, Thomas W. Ellerbeck was elected Treasurer of the University.

On motion of Mr. Maughan, Robert L. Campbell was elected Superintendent of Common Schools.

On motion of Mr. Wright, David O. Calder was elected Territorial Treasurer.

On motion of Mr. Preston, Wm. Clayton was elected Auditor of Public Accounts.

On motion of Councilor Harrington, Theodore McKean was elected Territorial Road Commissioner.

On motion of Mr. Long, John D. T. McAllister was elected Territorial Marshal.

On motion of Councilor Johnson, Wm. Snow was elected District Attorney for the 1st Judicial District.

On motion of Councilor Benson, Joseph L. Heywood was elected District Attorney for the 2d Judicial District.

On motion of Mr. Richards, Jesse W. Fox was elected Territorial Surveyor General.

On motion of Councilor Smith, Wm. C. Staines was elected Librarian.

On motion of Mr. Preston, Wm. Clayton was elected Recorder of Marks and Brands.

On motion of Councilor Benson, Nathan Davis was elected Sealer of Weights and Measures.

On motion of Councilor E. Snow, James D. McCullough was elected Probate Judge of Washington county.

On motion of Councilor E. Snow, James G. Bleak was elected Notary Public for Washington county.

On motion of Mr. Lunt, Silas S. Smith was elected Probate Judge of Iron county.

On motion of Mr. Lunt, Martin M. Slack was elected Notary Public for Iron county.

On motion of Mr. Wandell, Daniel M. Thomas was elected Probate Judge of Beaver county.

On motion of Mr. Wandell, John Woodhouse was elected Notary Public for Beaver county.

On motion Mr. Callister, Thomas R. King was elected Probate Judge of Millard county.

On motion of Councilor Lyman, Joseph V. Robinson was elected Notary Public for Millard county.

On motion of Councilor Hyde, George W. Bradley was elected Probate Judge of Sanpete county.

On motion of Mr. Allred, George Spencer was elected Notary Public for Sanpete county.

On motion of Mr. Pitchforth, Jacob G. Bigler was elected Probate Judge of Juab county.

On motion of Mr. Pitchforth, Jonathan Midgley was elected Notary Public for Juab county.

On motion of Councilor Johnson, Zerubbabel Snow was elected Probate Judge for Utah county.

On motion of Mr. Thurber, John B. Fairbank was elected Notary Public for Utah county.

On motion of Mr. Wall, John W. Witt was elected Probate Judge of Wasatch county.

On motion of Mr. Wall, Silas Smith was elected Notary Public for Wasatch county.

On motion of Councilor Woodruff, Elias Smith was elected Probate Judge of Great Salt Lake county.

On motion of Councilor Benson, John T. Caine was elected Notary Public for Great Salt Lake county.

On motion of Mr. Long, W. W. Phelps was elected Notary Public for Great Salt Lake county.

On motion of Councilor Rich, Joseph Holbrook was elected Probate Judge of Davis county.

On motion of Mr. Stoker, Arthur Stayner was elected Notary Public for Davis county.

On motion of Mr. Smith, Charles S. Peterson was elected Probate Judge of Morgan county.

On motion of Councilor Rich, Isaac Bowman was elected Notary Public for Morgan county.

On motion of Mr. Hunt, Aaron F. Farr was elected Probate Judge of Weber county.

On motion of Mr. Farr, Wm. Critchelow was elected Notary Public for Weber county.

On motion of Councilor L. Snow, Jonathan C. Wright was elected Probate Judge of Box Elder county.

On motion of Mr. Wright, John Burt was elected Notary Public for Box Elder county.

On motion of Councilor Benson, Peter Maughan was elected Probate Judge of Cache county.

On motion of Mr. Preston, James A. Leishman was elected Notary Public for Cache county.

On motion of Mr. Richards, John Rowberry was elected Probate Judge of Tooele county.

On motion of Mr. Rowberry, Nelson Bates was elected Notary Public for Tooele county.

On motion of Mr. Richards, Ira Eldredge was elected Probate Judge of Summit county.

On motion of Mr. Eldredge, Samuel P. Hoyt was elected Notary Public for Summit county.

On motion of Mr. Wandell, Wm. A. Carter was elected Probate Judge of Green river county.

On motion of Councilor Rich, Preston Thomas was elected Probate Judge of Richland county.

On motion of Councilor Rich, Richard R. Hopkins was elected Notary Public for Richland county.

On motion of Councilor E. Snow, Anson P. Winsor was elected Probate Judge of Kane county.

On motion of Councilor E. Snow, Sextus E. Johnson was elected Notary Public for Kane county.

The minutes being called for, were read and accepted.

On motion of Councilor Benson, the Joint Session adjourned till Friday the 22d inst., at 3 p. m.

Benediction by the Chaplain.



HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 20, 1864, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Chief Clerk.

Roll called. Quorum present.

On motion of Mr. Pratt, Hon. John Van Cott was called to the chair pro tem.

Prayer by the Chaplain.

A message was received from the Council, announcing their non-concurrence in resolution, relating to coal and iron, and their concurrence in (H. F. No. 5.) "Memorial to the Hon. Montgomery Blair, Postmaster, etc.," with a few amendments.

Said memorial was read as amended, and,

On motion of Mr. Allred, said memorial was further amended, and ordered to be sent to the Council for concurrence.

The Speaker arrived and took the chair.

Mr. Eldredge presented, petition of Samuel P. Hoyt, *Ira Eldredge* and *Martin H. Peck*, for the passage of an act, providing for a re-location or change of the Territorial road, on the east side of the Weber river.

Said petition was read, and,

On motion of Mr. Richards, the committee on roads, etc., were instructed to bring in a bill, directing the Territorial road commissioner, to locate a road in conformity with the prayer of said petitioners.

Mr. Eldredge presented, petition of Wm. H. Smith and 53 others,

for change of county seat of Summit county, which was read, and referred to committee on counties.

Mr. Wright, chairman of committee on Penitentiary, made a report in relation to the Penitentiary, which was read, and laid on the table.

Said committee on Penitentiary, to whom was referred, "Resolution instructing the Warden to cancel certain amounts standing on Penitentiary books," reported, that after they had made diligent enquiry into the subject, they had found legislation thereon was unnecessary.

Said committee on Penitentiary also reported, that on examination of the books in the Warden's office, they found that there is a claim against the United States of \$752.25 for guard service, and \$8.25 for clothing, incurred in the keeping of a U. S. convict, during the late Wardenship of Alex. McRae, in 1860. The committee further found, that the said parties, who had rendered the service and furnished the clothing, had been settled with in full by the Auditor, and by virtue of appropriation for the purpose, Mr. McRae had received his pay in full from the Territorial Treasury, for the said amount of \$752.25, and that the said sum is now justly due to the Territory from the United States.

They therefore recommended accompanying resolution relative to said claim, which was read and adopted.

On motion of Mr. Van Cott, the House adjourned for one hour.

1 p.m.

House re-assembled as per adjournment.

Roll called. Quorum present.

On motion, the Council were notified that the House were ready for Joint Session.

The assembly met in Joint Session, in the Representatives' Hall.

[See Joint Session Minutes.]

Upon dissolution of the Joint Session, the House resumed its sitting.

Mr. Woolley presented, the following claim, which was read, and ordered to be inserted in the Territorial appropriation bill.

TERRITORY OF UTAH, DR.,

To Robert L. Campbell, to recording minutes and accompanying documents, of House of Representatives, of session 1862-3, in legislative record, as per vote of last session, 16 days, \$50 00

To Thomas Bullock, for certifying minutes and comparing said recorded minutes, 2 days, 6 00.

Mr. Rowberry moved, that the committee on claims and appropriations, be instructed to incorporate the sum of \$500.00 in the Territorial appropriation bill, to be expended under the direction of the Territorial road commissioner, for repairing the Territorial road immediately west of Jordan bridge, near Great Salt Lake City. Seconded and carried.

Mr. Cluff moved, that the committee on claims and appropriations, be instructed to incorporate in the Territorial appropriation bill, the sum of two thousand dollars, in addition to the amount already appropriated, in an act providing for the building of a bridge across Provo river. Approved Jan. 14, 1864. Seconded and carried.

(C. F. No 13.) "An act authorizing a toll bridge across Thomas' Fork, of Bear river," was taken up, and passed its second reading.

Said bill passed its third reading by its title.

The title thereof was read and approved.

Mr. Richards presented, a bill entitled, "An act to amend an act, to incorporate the Deseret Agricultural and Manufacturing Society," which was taken up, and read the first time.

Said bill was taken up, and read the second time.

Said bill passed its third reading by its title.

The title thereof was read and approved.

Mr. Woolley, chairman of committee on claims and appropriations, presented "Territorial appropriation bill," in progress, which was read, and referred back for amendments.

Mr. Preston presented, "Resolution changing the location of the road in Summit county, between Peck's creek and Chalk creek," which was read the first time.

Said resolution was read the second time, and adopted.

A message was received and read from the Council, announcing their non-concurrence in (H. F. No. 15.) "An act for the better regulation of stray pounds and for other purposes," and their adoption of "Memorial to the Secretary of the Treasury."

Said memorial was read, and the House concurred with the Council in the adoption thereof.

A message was received and read from the Council, announcing their adoption of "Memorial to Congress relative to the Penitentiary", and their adoption of "Resolution in relation to publishing and distributing the Laws and Journals of the Thirteenth Session."

On motion of Mr. Rockwood, said memorial to Congress, relative to the Penitentiary, was read and adopted.

Said resolution, in relation to publishing and distributing the Laws and Journals of the Thirteenth Session, was read, and,

On motion of Mr. Pitchforth, the House concurred with the Council in the adoption thereof.

Mr. Pratt moved, that the committee on claims and appropriations, be instructed to incorporate the sum of \$4,000 in the Territorial appropriation bill, for building a bridge across the Sevier river, at or near the site of the present bridge. Seconded and carried.

The following message from the Council was received and read:

COUNCIL CHAMBER,
JANUARY 20, 1864. }

HON. SPEAKER AND MEMBERS

OF THE HOUSE OF REPRESENTATIVES:

GENTLEMEN:—The Council concurs in the additional paragraph to (H. F. No. 5.) Memorial for mail service, and respectfully return the same to be engrossed.

Very Respectfully,

DANIEL H. WELLS,
President of the Council.

The following report was received and read:

COMMITTEE ROOM, G. S. L. City,
January 19th, 1864. }

HON. THE SPEAKER AND MEMBERS OF THE

HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee to whom was referred the Director's and Warden's report, and other subjects connected therewith in relation to the Penitentiary, respectfully submit the following report:

That, whereas, owing to an extensive and a variety of complicated circumstances, (many of which are unavoidable,) we find the Penitentiary in its present condition to be almost totally unfit for the purposes for which it is designed: 1st, from its dilapidated condition in general; 2d, the decay of its walls, the unsafe and unhealthy condition of the cells, the deficiency of suitable locks and fastenings; lights and sentinels, etc., etc., which, for the lack of means, has not yet been sufficiently provided for, thereby characterizing this prison in distinction from all other prisons in the world.

And, whereas, the means heretofore appropriated, having proved to be greatly insufficient for the completion of the building according to its very economical original design, and the means thus appropriated having long since been exhausted, is justly a subject of complaint by the Warden, as it endangers the security of the prisoners, and increases the expense of the guard.

And, whereas, in 1855, the prison was made ready for the reception of convicts, and as per report of Warden, the whole number of

commitments to date is 75, of whom 17 only served out their term of sentence; 12 made good their escape, 38 were discharged by the unwarrantable and unjust exercise of Habeas Corpus and pardoning power, (thereby in some instances) setting at liberty, persons convicted of the most enormous crimes known to our laws, whose vicious habits and unrestrained passions rendered life and property altogether unsafe and extremely hazardous, wherever they were, thereby annihilating the certainty of punishment and making the verdict of juries and the sentence of courts a ridiculous burlesque, and total nullity, and by the prejudicial, unjust and implacable exercise thereof, by Federal, Judicial, and Executive authority, the administrators of which they themselves were worthy of, and justly entitled to the choice and occupancy of the most safe and secure berths within the prison walls.

In relation to the management of the fiscal affairs of the Penitentiary, and the saving of revenue, the Warden and Directors pass high approbation in the estimation of your committee, an evidence of this is found in the Warden's report, showing a balance after deducting expenses of prison for the year 1863, of \$2 51, in favor of the Territory, (Warden's salary excepted) this is mostly attributable to the advantages derived from working the prisoners outside the walls, as provided by statutory enactments, which we consider a very wholesome provision and unanimously object to its abuse or repeal.

And, whereas, we believe that kindness and attention to the convicts on the part of the officers is of vast importance in the government and good order of the institution; yet, the prisoners should not in any instance be indulged by intimacy and liberties which would lead to a relaxation of the rules and discipline of the prison, let them understand that while prisoners they must be treated as prisoners. This, however, to some extent has not been the case, but on the contrary, we, your committee, feel ourselves in duty bound to say that from authentic and unimpeachable testimony derived from the highest authority of the commonwealth, we are informed that during the past year, convicts who had been duly committed and whom the people supposed were safely confined in the prison cells, were frequently in the night time in Camp Douglas and Great Salt Lake City, prowling about unrestrained, practising their former habits of burglary, robbery and theft,—whereby hundreds of dollars have been taken from their legitimate owners by the hands of those revengeful miscreants, who, at the same time were supposed safely confined in the cells of the Penitentiary.

These facts, in the estimation of your committee appear to reflect

severe censure, or to say the least, great neglect of duty on the part of the officers in charge, but the past and present dilapidated condition of the Penitentiary, to a great extent, exonerates them from blame.

Therefore deeming it necessary to have those difficulties as far as possible obviated, respectfully suggest as the most conciliatory measure calculated to accomplish this object, and in consequence of the perplexing, onerous duties and ponderous responsibilities devolving ex officio on the Warden and Directors, that the Legislative Assembly exercise their relieving power, especially in favor of the Warden and release him for the time being from any further prison duties connected with the labors and responsibilities of that office, and that by a joint vote of the Legislative Assembly aforesaid, sentence be passed upon some other person more worthy to be incarcerated within the walls of Penitentiary discipline and be required to perform hard labor as Warden for the term of one year, from the date of his sentence, and that his Excellency Amos Reed, Acting-Governor, without extenuation, commutation or pardon approve the act.

Therefore, in conclusion, we beg to say that notwithstanding the objections herein set forth, absolutely have and do exist and thereby the institution in its present condition, might justly be declared a nuisance, and in the opinion of some of the commonwealth as such ought to be abated, your committee however to this proposition beg leave to respectfully demur and recommend in lieu thereof, that this be an instruction to the committee on appropriations to incorporate in the general Territorial appropriation bill the sum of \$5000 or so much thereof as shall be necessary out of any money in the Territorial treasury not otherwise appropriated for the purpose of repairing the Utah Penitentiary; also \$1000 in full for Wardens' salary for the year 1863; Therefore, Gentlemen, your committee having now concluded our report, we will say no more, and as in duty bound could not have said less.

Very Respectfully,

J. C. WRIGHT, Chairman.

On motion of Mr. Thurber, the report was received, and the committee on claims and appropriations instructed accordingly.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 20, 1864. }

TO THE HONORABLE COUNCIL AND HOUSE OF REPRESENTATIVES
OF THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY.

GENTLEMEN:—I have to inform your Honorable body that I

have disapproved an act entitled "An act granting unto Joseph Young, sen., the right to establish and control ferries on Bear river, also requiring him to build a bridge on the Malad;"—also an act entitled "An act granting unto Lewis Robison and Joshua Terry, the right to establish and control a ferry or ferries across Green river." While it would no doubt be a considerable convenience to have permanent ferries established across the streams named, I cannot approve of the policy of granting exclusive privileges, at high rates of toll, for a number of years, and embracing from twenty to thirty miles of rivers crossing the main roads of travel to the east and the north. The entire emigration across the plains from the Missouri river through this Territory is compelled to cross Green river. The main emigrant road from this city to the Boise and Bannack mines, and to California and Oregon, via Geese Creek mountains and the Humboldt, crosses Bear river. To grant an exclusive privilege to establish and control ferries across these two important streams at enormous rates of toll, would be to institute a monopoly so oppressive and burdensome upon the people that I cannot sanction these acts. That ferries will be established at proper points on both rivers by private enterprise, unless prohibited by such laws cannot be doubted. In order therefore to prevent extortion it might be well for the Legislature to authorize the establishment of such ferries and to fix a moderate rate of toll as the maximum to be charged. This might be done by a special act granting the right to any particular person or persons, or by general law permitting any citizen of the Territory to establish such ferry. I cannot, however, consent that a monopoly of such character for a series of years shall be granted away on the terms proposed in the acts named. The public interests certainly do not require it, but on the contrary, would, in my opinion, be seriously jeopardized by such a course. Better leave the whole matter to private enterprise than thus burthen the people—farmers, travelers, emigrants and others with so burdensome a tax and so odious a monopoly.

AMES REED,

Acting-Governor.

The minutes were read and approved.

On motion of Mr. Pitchforth, the House adjourned till to-morrow at 10 a. m.

Benediction by the Chaplain.

THURSDAY, JANUARY, 21, 1864.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 21, 1864, 1 p.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received and read from the House, announcing their concurrence in (C. F. No. 13.) "An act authorizing a toll bridge across Thomas Fork, of Bear river," also in "Memorial to the Secretary of the Treasury, and to Congress," in relation to the Penitentiary, and their passage of (H. F. No. 37.) "An act to amend an act, incorporating the Deseret Agricultural and Manufacturing Society," also "Resolution changing the location of the road in Summit county, between Pecks' creek and Chalk creek," also their adoption of "Resolution in relation to publishing and distributing the Laws and Journals of the Thirteenth Session."

(H. F. No. 37.) "An act to amend an act incorporating the Deseret Agricultural and Manufacturing Society," was read, and,

On motion of Councilor Smith, the bill was concurred in.

(H. F. No. 39.) "Resolution changing the location of the road in Summit county, between Peck's creek and Chalk creek," was read, and,

On motion of Councilor Smith, was referred to the committee on roads, bridges, ferries and canyons.

Councilor Smith presented, "Memorial to Congress for the admission of Utah as a State."

On motion of Councilor Harrington, the memorial was adopted, and was sent to the House for concurrence.

Councilor E. Snow presented, (C. F. No. 19.) "An act to incorporate the St. George Library Association," which was read, and,

On motion of Councilor Smith, was read the second time, and,

On motion of Councilor Spencer, was read the third time by its title, and so passed, and was sent to the House for concurrence.

Councilor Smith presented, (C. F. No. 20.) "An act to incorporate the Union Vale of Health Manufacturing Association," which was read, and,

On motion of Councilor Carrington, was referred to the committee on incorporations.

A message was received from the House, announcing their passage of (H. F. No. 38.) "Territorial appropriation bill," which was read, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations.

A message was received from the House, announcing their passage of [H. F. No. 40.] "An act changing the county seat of Summit county," and "Resolution giving authority to Hon. John F. Kinney, to collect certain amounts due to the Territory."

[H. F. No. 40.] "An act changing the county seat of Summit county," was read, and,

On motion of Councilor Carrington, the Council did not concur.

"Resolution giving authority to Hon. John F. Kinney, to collect certain amounts due to the Territory," was read, and,

On motion of Councilor Rich, the Council concurred.

A message was received from the House, announcing their concurrence in "Memorial to Congress for the admission of Utah as a State," and [C. F. No. 15.] "An act to incorporate the St. George Library Association."

Councilor Johnson presented, [C. F. No. 21.] "An act pertaining to damage done by stock," which was read, and,

On motion of Councilor Carrington, was amended, and,

On motion of Councilor Rich, was read the second time as amended, and,

On motion of Councilor Johnson, was read the third time by its title, and so passed, and was sent to the House for concurrence.

On motion of Councilor Rich, the sum of \$800 was included in the appropriation bill, to be expended on the road between Franklin and Bear Lake valley, under the direction of the Territorial road commissioner.

Councilor Johnson presented, [C. F. No. 22.] "An act requiring owners of cattle to brand them," which was read, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and was sent to the House for concurrence.

The minutes were read and approved.

On motion, the Council adjourned till half-past 6 p.m.

Benediction by the Chaplain.

COUNCIL CHAMBER,
Evening Session, 6.30 p.m. }

Council met pursuant to adjournment.

The following was received from the House:

GENTLEMEN:—The House of Representatives has passed the enclosed "Act concerning joint enclosures, division fences and for other purposes," and "An act to incorporate the Ogden city Library association," and they have concurred in [C. F. No. 21.] "An act pertaining to damage done by stock," herewith returned.

Very Respectfully,

JOHN TAYLOR, Speaker.

[H. F. No. 38.] "Territorial appropriation bill," was taken up on its second reading, and amended, and,

On motion of Councilor Benson, passed as amended, and,

On motion of Councilor E. Snow, was read the third time by its title, and so passed as amended, and was sent to the House for their concurrence in the amendments.

Minutes were read and accepted.

On motion of Councilor Smith, the Council adjourned till to-morrow, at 11 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 21, 1864, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Pitchforth presented, "Petition of C. H. Bryan and 60 others, citizens of Nephi, Juab county, praying for a City charter," which was read, and referred to the committee on incorporations.

Mr. Pitchforth presented, "Petition of R. Wilson Glen and 26 others, for a county organization in Sevier," which was read, and referred to the committee on counties.

Mr. Callister, chairman of committee on counties, to whom was referred petition of the citizens of Summit county, praying for the county seat to be located at Coleville, in said county, reported accompanying act, and recommended its passage.

Said accompanying bill, "An act changing the county seat of Summit county," was read the first time.

Mr. Thurber, chairman of committee, to whom was referred (H. F. No. 29.) a bill entitled "An act for the encouragement and advancement of agriculture, manufacture and for other purposes," reported unfavorably to the passage thereof, believing the exemptions contained therein, would too materially effect the Territorial revenue.

On motion of Mr. Rockwood, the report was received, and the committee relieved from further duties on the subject.

Mr. Richards, chairman of committee, to whom was referred the report of a special committee, on amount of appropriation by Congress yet unexpended, for the completion of Utah Penitentiary, with instructions to draft memorial to Congress, for consideration of the House, respectfully reported,

That inasmuch as there are now before the House, memorials from the Council to the Secretary of the Treasury and to Congress, asking that the amount already appropriated may be made available, and that a further amount of \$12,000 may be appropriated for the completion of the Penitentiary; it appeared superfluous to present further memorials on the subject.

On motion of Mr. Long, the committee were relieved from the further consideration of the subject.

Mr. Long, chairman of committee on engrossing, reported bill of \$66 for services rendered, by John T. Hardy for engrossing laws of present session, which was read, and ordered to be incorporated in the Territorial appropriation bill.

Mr. Rockwood, chairman pro tem of committee on claims and appropriations reported,

"Territorial appropriation bill," which was read the first time.

Said bill was read the second time and amended.

Said bill was read the third time as amended, and,

On motion of Mr. Richards, passed.

The title thereof was read and approved.

On motion of Mr. Long, the House adjourned for one hour.

2 p. m.

House re assembled as per adjournment.

Roll called. Quorum present.

On motion, the minutes of the forenoon session were read and forwarded to the Printer.

"Resolution in relation to publishing and distributing the laws and journals of the Thirteenth Annual Session," was taken up and read the second time.

Said resolution was read the third time and passed.

The title of said resolution was read and approved.

"Resolution giving authority to John F. Kinney to collect a certain amount, due the Territory," was taken up and read the second time.

Said resolution was read the third time, and,

On motion of Mr. Wright, passed.

The title thereof was read and approved.

"An act changing the county seat of Summit county," was taken up and read the second time.

Said bill was read the third time by its title, and,

On motion of Mr. Callister, passed.

The title thereof was read and approved.

A message was received and read from the Council, announcing their concurrence in [H. F. No. 37.] "An act to amend an act incorporating the Deseret Agricultural and Manufacturing Society, approved January 17, 1856," and that they had passed [C. F. No. 19.] "An act to incorporate the St. George Library Association," and their adoption of "Memorial to Congress for the admission of Utah as a State."

Said bill [C. F. No. 19.] "An act to incorporate the St. George Library Association," was taken up and read the first time.

Said bill was read the second time.

Said bill was read the third time.

On motion of Mr. Pratt, said bill passed.

The title thereof was read and approved.

Said "Memorial to Congress for the admission of Utah as a State" adopted by the Council, was read, and,

On motion of Mr. Lunt, the House concurred with the Council in the adoption thereof.

On motion of Mr. Richards, the House took a recess of half an hour.

On re-assembling, [H. F. No. 33.] "An act concerning joint enclosures and division fences," was taken up and read the second time.

Said bill was read the third time, and,

On motion of Mr. Long, passed.

The title of said bill was read, amended and approved.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, January 21, 1864. }

THE HONORABLE JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have approved and signed the act entitled "An act in re-

lation to fires on the public domain," and have deposited the same in the office of the Secretary of the Territory.

I have also approved and signed the memorial entitled, "Memorial to the Honorable Postmaster-General," which, as soon as recorded, I shall forward to that office.

AMES REED, Acting Governor.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, Jan. 21, 1864. }

TO THE HON. COUNCIL AND HOUSE OF REPRESENTATIVES
OF THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY:

GENTLEMEN:—Before your final adjournment, I deem it proper to inform you that I am constrained to withhold my signature and approval from the act entitled, "An act concerning mining claims." My reasons for this course are many, and I deem it necessary only to advert to some of them. In my annual message your attention was called, and favorable consideration asked to the new field of enterprise, which the discovery and working of mines of precious metals opens to the people of the Territory. I regarded these discoveries as in the highest degree important, and matters of sincere congratulation to you and your constituents, and indulged the hope that the Legislature would esteem it a duty and a privilege, to enact such laws as would tend to promote, encourage and foster mining enterprises. The act presented to me not only fails to fulfil these hopes, but on the contrary would in my opinion result in restricting, repressing and checking every mining enterprise, whether signed or not. I can conceive of no more onerous and restrictive enactments than that which has been presented to me for approval. It provides for a cumbrous, expensive, and in my opinion entirely useless machinery, denominated a "Superintendency of mines." It places almost unlimited power in the hands of three men, with such discretionary and unrestricted powers as could hardly result in ought but evil. The terms of the act, if not vague, are inconsistent with themselves. The first section provides for the "Office of Superintendent of mining claims," while the second section speaks of a "Board of three persons," and section six refers to a "Board of Superintendency." This Superintendency or Board has unlimited power, to appoint such officers and frame such by-laws as may be necessary, etc., and to have the general supervision of all mining districts, or claims, to locate the same, to determine the extent of each mining district, establish the boundaries of each lot or mining claim, and assess the value of such claims for purposes

of taxation. Such extended powers, granted to three persons, no matter how earnest in their regard for the public weal, or honest in the execution of their high office, I cannot but regard as a most dangerous precedent, and as unwise and impolitic in the extreme. The formulas prescribed, in order to carry out the cumbrous machinery of the act, in the matters of locating, surveying, recording and transferring mining claims, are so minute in detail and so complex in character, as to put a complete bar on mining enterprise, and be the source of interminable litigation and conflict in the future.

Were there any doubt as to effect of the act, should it become a law, in retarding and preventing the development of our mineral resources, the ninth section would certainly remove such doubt. An annual tax of twenty per cent, on the assessed value of the mines, or the products of such mines, would unquestionably present an insuperable obstacle to the opening of a single mine in the Territory. It may well be doubted if the richest mine in the world, whether the Ophir or Gould and Currey in Nevada, or the New Almaden in California, could withstand for any length of time, so onerous a burthen as an annual tax of twenty per cent, in its assessed value.

If it was possible to believe that the object designed by the act before me was to prevent the people from opening up the undoubted mineral wealth of the Territory, I could conceive of no more effectual means to accomplish that end, than the passage of the act. Believing that the people are desirous of extracting from the earth the riches which industry and enterprise can find there, and that their best interests would be promoted by fostering and encouraging the development of mines of precious metals, I am constrained to withhold my signature from the act, regretting that your Honorable body could not, or has not, devised measures for the promotion of an important and growing interest of the Territory.

I am furthermore of the opinion, that in levying a tax upon mines of metal within the ground, unquestionably, the property solely of the United States, the Legislature has exceeded its powers. The extent to which the power of taxation has ever been applied, or so far as I know, claimed, has been to tax the proceeds of a mine after extraction and segregation from the earth. Sections six, of the organic act of the Territory, in treating of the Legislative power, specifically says, "No tax shall be imposed on the property of the United States." Unless therefore it can be clearly shown, and I presume it will not be ever claimed, that the mines are not the "property of the United States," this act unquestionably comes within the purview of the above quoted prohibition.

Regretting that I am unable to agree with the Legislature, I have deemed it due to your Honorable body, thus to set forth at some length, the objections which render it impossible for me to approve the act named.

AMOS REED,
Acting Governor.

Mr. Farr presented, [H. F. No. 41.] "An act to incorporate the Ogden City Library Association," which was read the first time.

Said bill was read the second time.

Said bill was read the third time, and,

On motion of Mr. Richards, passed.

The title of said bill was read and approved.

A message was received from the Council and read, announcing the passage of [C. F. No. 21.] "An act pertaining to damage done by stock," and their concurrence in "Resolution giving authority to Hon. John F. Kinney to collect a certain amount due the Territory," and their non-concurrence in [H. F. No. 40.] "An act changing the county seat of Summit county."

Said bill [C. F. No. 21.] "An act pertaining to damage done by stock," was read the first time.

Said bill was read the second time.

Said bill on motion of Mr. Pitchforth, was read the third time by its title.

On motion of Mr. Johnson, said bill passed.

The title of said bill was read and approved.

The minutes were read and approved.

On motion of Mr. Lant, the House adjourned till to-morrow at 10 a. m.

Benediction by the Chaplain.

FRIDAY, JANUARY 22, 1864.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City, }
Friday, January 22, 1864, 11 a.m. }

Council met pursuant to adjournment.

Called to order by the President.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, January 22, 1864. }

THE HONORABLE D. H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have approved and signed the following named act, memorials and resolution, to wit:

"An act to incorporate the St. George Library Association."

"Memorial to the Honorable Montgomery Blair, Postmaster General, Washington, D. C."

"Memorial to the Secretary of the Treasury of the United States, in relation to the unexpended funds appropriated, for the benefit of Utah Penitentiary."

"Memorial to Congress for an appropriation, for the further completion of the Utah Penitentiary," and "Resolution in relation to publishing and distributing the Laws and Journals of the Thirteenth Annual Session," also "An act authorizing a toll bridge across Thomas' Fork, of Bear river,"

AMOS REED, Acting Governor.

[H. F. No. 33.] "An act concerning joint enclosures, division fences and for other purposes," was read, and,

On motion of Councilor E. Snow, was read the second time by sections, and,

On motion of Councilor Smith, was referred to the committee on incorporations.

[H. F. No. 41.] "An act to incorporate the Ogden City Library Association," was read, and,

On motion of Councilor E. Snow, was concurred in.

The following was received from the House:

GENTLEMEN:—The House have concurred in your amendments to "Territorial appropriation bill," except to the striking out of Mr. East's claim for services. Do you concur in retaining said claim in the Territorial appropriation bill.

Respectfully, etc.,

JOHN TAYLOR.

Which was read, and,

On motion of Councilor Carrington, the Council refused its concurrence to said item.

Councilor Carrington, chairman of the committee on judiciary, to whom was referred [H. F. No. 9.] "An act in relation to Territorial, County, City and School Taxes," reported the same back

amended, recommending its passage. Said bill was read as amended, and,

On motion of Councilor E. Snow, the bill was concurred in, and sent to the House for their concurrence in the amendments.

Councilor Woodruff, chairman of the committee on appropriations, to whom was referred "An act for the relief of several counties of this Territory for 1863," reported adversely to the passage of said act.

On motion of Councilor Rich, the report was accepted, and the committee discharged from the further consideration thereof.

Councilor Lyman, chairman of the committee on roads, bridges, ferries and canyons, to whom was referred [H. F. No. 39.] "Resolution changing the location of the road in Summit county, between Peck's and Chalk Creek," reported the same back amended, recommending its passage as amended. Said resolution was read, and,

On motion of Councilor Rich, the resolution was concurred in as amended, and the House notified accordingly.

Councilor Harrington, who had been appointed a committee on part of the Council, to examine the books and vouchers for disbursements, made by the Territorial Treasurer, reported that the committee had made the examination required, and found the books and redeemed vouchers to agree, and that the committee had destroyed said vouchers.

On motion of Councilor Hyde, the report was accepted, and the committee discharged.

The Council went into Joint Session.

[See Joint Session Minutes.]

On dissolution of Joint Session, the Council resumed their sitting.

A message was received from the House, announcing the passage of [H. F. No. 42.] "An act concerning a ferry or ferries across Bear river, and a bridge across the Malad," and "An act to incorporate the Nephi Library and Reading Room," also their amendment of [C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," and their concurrence in the Council amendments to [H. F. No. 9.] "An act in relation to Territorial, County, City and School Taxes," and [H. F. No. 39.] "Resolution changing the location of the road in Summit county, between Peck's and Chalk creek."

[H. F. No. 42.] "An act concerning a ferry or ferries across Bear river, and a bridge across the Malad," was read, and,

On motion of Councilor Carrington, was amended, and,

On motion of Councilor Hyde, was further amended, by adding an additional section, and,

On motion of Councilor Hyde, the Council concurred in the bill as amended, and the House notified accordingly.

[H. F. No. 44.] "An act to incorporate the Nephi Library and Reading Room Association," was read, and,

On motion of Councilor Rich, the Council concurred and the House notified accordingly.

[C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," was read, and,

On motion of Councilor Smith, the Council did not concur in the addition of the words "a recorded," in the first section, and,

On motion of Councilor Woodruff, the word "ten" instead of "five," was inserted in section two.

The following was received from the House:

GENTLEMEN:—The House has passed the enclosed bill [H. F. No. 46.] "An act granting unto Lewis Robison and Joshua Terry, the right to control a ferry or ferries on Green river," which is forwarded for your action.

Respectfully,
JOHN TAYLOR, Speaker.

Which was read, and,

On motion of E. Snow, the Council concurred, and the House notified accordingly.

Councilor L. Snow, chairman of committee on incorporations, to whom was referred [C. F. No. 21.] "An act to incorporate the Union Vale of Health Manufacturing Society," and,

On motion of Councilor Smith, the report was accepted, and the petitioner allowed to withdraw his papers.

Councilor E. Snow presented, [C. F. No. 24.] "Joint resolution, connecting Kane county with Washington county, and Richland with Cache county, for electing members of the Legislative Assembly."

Which was read, and,

On motion of Councilor Harrington, was adopted, and sent to the House for their concurrence.

Councilor Carrington presented, [C. F. No. 25.] "An act granting to Brigham Young, the right to make a toll road in Tooele county," which was read, and,

On motion of Councilor Spencer, was read the second time, and,

On motion of Councilor Rich, was read the third time by its title, and so passed, and was sent to the House for their concurrence.

Councilor L. Snow, chairman of the committee on incorporations, to whom was referred [H. F. No. 33] "An act on Joint enclosures," reported the same back, recommending non-concurrence.

On motion of Councilor Woodruff, the report was accepted, and the bill not concurred in.

On motion of Councilor Benson, the Council took a recess, till half past 6 p.m.

6.30 p.m.

The Council resumed its session.

Prayer by the Chaplain.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, January 22, 1864. }

THE HONORABLE D. H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have approved and signed the act entitled, "An act to prohibit the use of certain paper as money," and have deposited the same in the office of the Secretary of the Territory.

AMOS REED, Acting-Governor.

The following was received from the House:

GENTLEMEN:—The House of Representatives' has concurred in [C. F. No. 26.] "An act granting to Brigham Young, the right to make a toll road in Tooele county," also the "Joint resolution," which are herewith returned to be engrossed.

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Woodruff, chairman of the committee on incorporations, to whom was referred [H. F. No. 39.] "An act to establish a road from Huntsville, in Weber county, to Bear River Lake valley," reported the same back, with a recommendation that further Legislation was unnecessary thereon, as the amount asked for was included in the Territorial appropriation bill.

On motion of Councilor Smith, the report was accepted, and the committee discharged from the further consideration of the subject.

The following was received from the House.

GENTLEMEN:—The House has passed the enclosed Joint Resolution, which is now sent for your action.

Very Respectfully,

JOHN TAYLOR, Speaker.

Said resolution was read, and,

On motion of Councilor Carrington, was concurred in.

Councilor Harrington presented; "Resolution returning the

thanks of the Assembly, to the Hon. Amos Reed, Secretary of the Territory," for the kindness manifested by him, in ministering to the comforts of the members of the Assembly during the present session, which was read, and,

On motion of Councilor Carrington, was adopted, and sent to the House for their concurrence.

The following communication were received and read:

HONORABLE DANIEL H. WELLS,

PRESIDENT OF THE COUNCIL:

SIR:—I have approved and signed the "Resolution with regard to Kane and Richland counties, in electing members of the Legislative Assembly," also the act entitled, "An act granting to Brigham Young, the right to make a toll road in Tooele county."

AMOS REED,

Acting Governor.

The following was received from the House:

GENTLEMEN:—The House has concurred in your Joint Resolution, complimentary to the Hon. Secretary Reed.

Very Respectfully,

JOHN TAYLOR, Speaker.

Councilor Benson moved, "That the Hon. Daniel H. Wells, President of this Council, is justly entitled to the thanks of the members of this Council, for the dignified, judicious and able manner with which he has presided and discharged the duties of his office, and for his kind, courteous, patient and gentlemanly bearing towards the members during the present session."

The motion was seconded by Councilor L. Snow, and carried unanimously.

Councilor Hyde moved, that this Council highly appreciate the prompt, able and courteous manner in which our Secretary, Mr. Patrick Lynch, with the assistance of Mr. Joshua Arthur, has discharged the duties of their offices, during the present session.

The motion was seconded by Councilor Carrington, and carried unanimously.

A similar vote was tendered the other officers of the Council.

In consequence of the unprecedented good health of the President, Members and Officers of the Council, and their families, there being not one member or officer absent from attendance during the present session, in account of sickness.

Councilor Harrington moved, that the thanks of this Council is justly due Almighty God, for His kindness, preserving to us the

health of the President, Members and Officers thereof, and also for the same benefits conferred upon the other branch of the Assembly.

The motion was seconded by Councilor Smith, and carried unanimously.

The following was received from the House:

GENTLEMEN:—The House has passed the accompanying Memorial to the Secretary of War, and it is now sent for the action of your Honorable body.

Very Respectfully,

JOHN TAYLOR, Speaker.

Which was read, and,

On motion of Councilor Benson, was adopted, and the House notified accordingly.

A message was received from the House, notifying the Council that Messrs. Pratt and Woolley, were appointed a committee on the part of the House, to act in conjunction with a like committee of the Council, to wait upon His Excellency, for the purpose of informing him that they had no further business, and awaiting any further official communication he had to make to the Assembly.

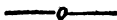
The President appointed Councilors L. Snow and Benson a committee, to act in conjunction with said committee.

Councilor Snow, in behalf the joint committee of the two Houses, reported that the committee had waited upon the Governor, agreeably to their instructions, who had courteously informed them that he had no further official communication to make to the Assembly at this session, whereupon,

The minutes being called for, were read and accepted, and,

On motion of Councilor Rich, the Council adjourned, to meet in accordance with resolution convening Legislative Assembly.

Benediction by the Chaplain.



JOINT SESSION.

REPRESENTATIVES' HALL,

Jan. 22, 1864, 2 p.m. }

Joint Session met pursuant to adjournment.

The President of the Council presiding.

The Secretary of the Council called the roll of the Council. Quorum present.

The Chief Clerk of the House called House roll. Quorum present.

Prayer by the Chaplain of the House.

The President declared the Joint Session open, and ready to proceed to the business for which the Assembly had met.

On motion of Councilor Benson, Seth M. Blair was elected Attorney General.

On motion of Councilor Harrington, Albert P. Rockwood was elected Warden of the Penitentiary.

On motion of Councilor Benson, Frederick Kesler was elected a Director of the Penitentiary.

On motion of Councilor Benson, Foramerz Little was elected a Director of the Penitentiary.

On motion of Mr. Rockwood, Ruben Miller was elected a Director of the Penitentiary.

On motion of Mr. Johnson, Charles D. Evans was elected a Notary Public for Utah county.

On motion of Councilor Smith, Jacob F. Hutchinason was elected a Notary Public for Utah county.

On motion of Councilor Hyde, David Candland was elected a Notary Public for Sanpete county.

On motion of Mr. Maughan, Henry Standige was elected a Notary Public for Cache county.

On motion of Councilor Benson, Wm. A. Carter was elected a Notary Public for Green River county.

On motion of Councilor Smith, Joseph L. Heywood was elected a Notary Public for Washington county.

On motion of Councilor E. Snow, John T. Gearey was elected a Notary Public for Washington county.

On motion of Mr. Pratt, Eli Whipple was elected Notary Public for Washington county.

The minutes being called for, were read and accepted.

On motion of Councilor Harrington, the Joint Session dissolved. Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL, G. S. L. City, }
January 22, 1864, 10 a. m. }

House met pursuant to adjournment.

Called to order by the Speaker.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council and read, announcing their concurrence in the passage of "Territorial appropriation bill," with amendments, also, the passage of [C. F. No. 22.] "An act requiring owners of cattle to mark or brand them."

Said Territorial appropriation bill was taken up and read as amended.

Said bill was further amended by retaining Mr. East's claim therein, and ordered to be sent to the Council for their concurrence.

[C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," was read.

Pending discussion on said bill, the following message was received from the Governor:

"EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, Jan. 22, 1864. }

HON. JOHN TAYLOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have approved and signed the following named acts, to wit:

"An act to incorporate the Seventies' Library and Reading Room Association."

"An act to incorporate Provo City."

An act to amend "An act incorporating the Deseret Agricultural and Manufacturing Society."

Also, the resolution entitled "Resolution giving authority to John F. Kinney to collect a certain amount due the Territory.

AMOS REED, Acting-Governor."

[H. F. No. 42.] "An act concerning a ferry or ferries across Bear river, and a bridge across the Mñlad," was taken up under a suspension of the rules, on motion of Mr. Wright, and read the first time.

Said bill was read the second time and amended.

Said bill was read the third time, and,

On motion of Mr. Pitchforth, passed.

The title of said bill was read and approved.

[C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," (pending the consideration of which, the Governor's Message was read,) was read the second time and amended.

Said bill was read the third time, and,

On motion of Mr. Callister, passed.

The title of said bill was read and approved.

Mr. Eldredge, chairman of committee on incorporations reported

back, "Petition of citizens of Nephi," considering the time too limited at the present session to frame a bill of the magnitude asked for in said petition.

On motion of Mr. Rockwood, the committee were relieved from the further consideration of the subject.

Mr. Wandell presented, a bill entitled "An act concerning mining claims," which was read the first time.

Said bill passed to its second reading, and,

On motion of Mr. Pratt, the enacting clause thereof was stricken out.

The following was received and read:

COMMITTEE ROOMS, G. S. L. City,
January 22, 1864.]

MR. SPEAKER AND HOUSE OF REPRESENTATIVES:

GENTLEMEN:—Your committee on judiciary, to whom was referred, the petition of Z. Snow and others, requesting that the law regulating fees of certain officers be amended.

After having had the subject under due consideration would respectfully represent, that we are satisfied that the fees of some of the officers mentioned in the fee bill, are not sufficiently remunerative for the services required in said bill.

We also find the act in relation to justices of the peace needs revising and reconstructing, as also many other laws pertaining to the duties of officers; Therefore, your committee do not deem it expedient to undertake to amend the law relating to fees of officers so late in the session, but feel that the attention of the next annual session of the Legislative Assembly should be called, to a thorough revision of our laws.

LORIN FARR, Chairman of Committee on Judiciary.

On motion of Mr. Long, the committee were relieved from the further consideration of the subject.

Mr. Pitchforth presented, a bill entitled "An act to incorporate the Nephi Library and Reading Room Association," which was read the first time.

Said bill was read the second time.

Said bill passed to its third reading, and,

On motion of Mr. Preston, passed.

The title of said bill was read and approved.

Mr. Callister, chairman of committee on counties, to whom was referred petition of the citizens of Richland, in Sevier Valley, praying for the organization of a new county, to be called Sevier, reported adversely to granting said petition.

On motion of Mr. Rockwood, the committee were relieved from the further consideration of the subject.

On motion of Mr. Maughan, the House took a recess of one hour.

1:30 p. m.

House assembled as per adjournment.

Roll called. Quorum present.

A message was received and read from the Council as follows:

The Council has concurred in (H. F. No. 41.) "An act to incorporate the Ogden City Library Association."

The Council does not concur in retaining the account of Mr. East in the appropriation bill, considering it county business.

The Council concurs in [H. F. No. 9.] "An act in relation to Territorial, county, city and school taxes," with amendments; also in "Resolution changing the location of the road in Summit county, between Peck's creek and Chalk creek."

Respectfully,

D. H. WELLS, President of the Council.

On motion of Mr. Rockwood, the House concurred with the Council in the striking out of the Territorial appropriation bill, the claim of E. W. East.

[H. F. No. 9.] "An act in relation to Territorial, county, city and school taxes," was read as amended, and,

On motion of Mr. Richards, the House concurred with the Council in their amendments to said bill.

"Resolution changing the location of the road in Summit county between Peck's creek and Chalk creek," was read as amended, and,

On motion of Mr. Wall, the amendments thereto were concurred in.

Mr. Preston presented, "An act granting to Lewis Robison and Joshua Terry the right to establish and control a ferry or ferries on Green river," which was read the first time.

Pending the further consideration of this bill, the Assembly went into Joint Session in the Representatives' Hall.

(See Joint Session Minutes.)

Upon dissolution of the Joint Session the House resumed the consideration of [H. F. No. 45.] "An act granting unto Lewis Robison and Joshua Terry the right to control a ferry or ferries on Green river," which was read the second time.

Said bill was read the third time, and,

On motion of Mr. Woolley, passed.

The title of said bill was read and approved.

Mr. Wandell presented, a bill entitled "An act for the protection of growing crops," which was read the first time.

On motion of Mr. Wright, said bill was laid on the table indefinitely.

On motion of Mr. Allred, the House took a short recess.

House re-assembled. Quorum present.

A message was received from the Council as follows:

The Council concur in [H. F. No. 44.] "An act to incorporate the Nephi Library and Reading Room Association," and have amended [H. F. No. 42.] by adding an additional section.

The Council concur in the amendment of the House to [C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," and have further amended said bill.

Do you concur?

The Council concur in [H. F. No. 46.] "An act granting to Lewis Robison and Joshua Terry the right to control a ferry or ferries on Green river."

The Council have passed "Joint resolution with regard to Kane and Richland counties electing members of the Legislative Assembly."

The section added by the Council to [H. F. No. 42.] "An act concerning a ferry or ferries across Bear river and a bridge across the Malad," was read, and,

On motion of Mr. Farr, the House concurred with the Council in the passage thereof.

[C. F. No. 22.] "An act requiring owners of cattle to mark or brand them," was read as amended by the Council, and,

On motion of Mr. Thurber, the amendments thereto were concurred in.

Said "Joint resolution with regard to Kane and Richland counties electing members of the Legislative Assembly, was read, and,

On motion of Mr. Van Cott, the House concurred with the Council in the adoption thereof.

On motion of Mr. Thurber, the House adjourned till 6 p. m.

6 p. m.

House met pursuant to adjournment.

Roll called. Quorum present.

A message was received and read from the Council announcing their passage of [C. F. No. 26.] "An act granting unto President Brigham Young the right to make a toll road in Tooele county."

Said bill was read the first time.

Said bill was read the second time, and,

On motion of Mr. Lunt, said bill was read the third time by its title and so passed.

The title thereof was read and approved.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory,
G. S. L. City, January 22, 1864. }

THE HON. JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have approved and signed the following acts, to wit:

"The Territorial appropriation bill."

"An act in relation to Territorial, county, city and school taxes."

AMOS REED, Acting-Governor.

Mr. Hunt, chairman of committee on militia, to whom was referred a voluminous manuscript on military tactics, reported the same back to lay on the table as unfinished business, to come up next session, the time this session being too short to act satisfactorily on so important a matter.

On motion of Mr. Lunt, the report was received and the subject laid over as unfinished business, and leave granted Mr. Johnson to withdraw the same.

A message was received and read from the Council, as follows:

The Council having no more business before them, would be pleased to know if the table of the House is cleared; and if so, they know of no reason why they should not now adjourn.

On motion of Mr. Rockwood, a letter of enquiry was forwarded to the Council, relative to the fate of the incorporation bill.

Mr. Wandell presented, joint resolution, complimentary to His Excellency, Amos Reed, Acting-Governor, which was read, and,

On motion of Mr. Long, adopted.

Mr. Wright presented, resolution complimentary to His Excellency, Amos Reed, Acting-Governor, which was read, and,

On motion of Mr. Hunt, adopted.

Mr. Thurber presented the following resolution, which was read, and,

On motion of Mr. Hunt, adopted.

Resolved that we highly appreciate the candid, courteous and impartial manner in which the Honorable Speaker has discharged the duties of his office, during the present session, and that we tender him our best wishes for his future welfare and prosperity.

The Speaker in courteous terms acknowledged the tribute of respect paid to him by the House, and testified to the reciprocal feelings existing in his bosom towards the Members, and expressed his wishes for their future happiness and prosperity.

A message was received and read from the Council, announcing their concurrence in joint resolution complimentary to the Acting-Governor.

A message was received and read from the Council, announcing that they were not yet prepared to report on the general incorporation act.

The following was received and read:

EXECUTIVE DEPARTMENT, Utah Territory, }
G. S. L. City, January 22, 1864. }

THE HONORABLE JOHN TAYLOR,

SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR:—I have approved and signed an act entitled "An act to incorporate the Ogden City Library Association;" also, the resolution entitled

"Resolution authorizing a change in the location of the road in Summit county, between Peck's creek and Chalk creek," also,

An act entitled "An act to incorporate the Nephi Library and Reading Room Association," also,

An act entitled "An act concerning a ferry or ferries across Bear river, and a bridge across the Malad."

AMOS REED, Acting-Governor.

A message was received and read from the Council, enclosing resolution complimentary to Hon. Amos Reed, Secretary of the Territory, which was read, and,

On motion of Mr. Wright, the House concurred with the Council in the adoption thereof.

Mr. Richards presented, "Memorial to the Secretary of War for the removal of the troops from the incorporate limits of Great Salt Lake City," which was read, and,

On motion of Mr. Pratt, adopted.

Mr. Allred moved, that a committee of two be appointed in conjunction with a similar committee from the Council to wait upon His Excellency, the Acting-Governor, and learn whether he had any further communication to make to the Assembly. Seconded and carried.

The Speaker appointed Messrs. Pratt and Woolley said committee.

Mr. Pratt, in behalf of committee, appointed in conjunction with a like committee from the Council, to wait upon the Governor, reported,

That they had waited upon His Excellency, and that he had no further communication to make.

A message was received and read from the Council, announcing their concurrence in "Memorial for the removal of troops from within the limits of the incorporation of Great Salt Lake City."

The minutes were read and approved.

On motion of Mr. Long, the House dissolved.

Benediction by the Chaplain.

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stamped below.

A fine of five cents a day is incurred
by retaining it beyond the specified
time.

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